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To the author of the SCOTS MAGAZINE.

SIR, *February* 1774.

I Send you ſome thoughts on literary property. If they be new, and to the purpoſe, you'll oblige me by laying them before the public.

I begin with conſidering the nature of property.

There are few things in which a man can be ſaid to have an abſolute property. —— Every thing a creature has is from God; ſo that, with reſpect to God, man can have no abſolute property. With reſpect to man, however, he may. In this reſpect he has an abſolute property in his own mind. He has an indefeaſible right, for inſtance, to worſhip God, in private, in whatever way he thinks will be moſt acceptable to God: and if any man, whether a private perſon, or the lawful governor of the ſtate, ſhould violently intrude upon his privacy, and interrupt, and forcibly hinder him, he is injured: for no man, whether in a private or in a public capacity, has a right to deprive him of the liberty of worſhipping God in what way he thinks beſt.

But in a thing that may, in any caſe, be *juſtly* taken from a man without his conſent, he has not the abſolute property: and the *juſtice* in ſuch caſe muſt be determined by the general apprehenſions of mankind.

Examples.—1. A and B are ſhipwrecked on an iſland. They ſave their cheſts, which contain a good deal of money, cloaths, &c. but no food. On the iſland they

they go to the houſe of C, who has food in great plenty, and to ſpare: they aſk to buy of him; and he, without any injury or offence done him on their part, but ſolely out of perverſeneſs of temper, will give them none for any price. They can get food no other way; therefore, to ſave their lives, they take of his food, without his conſent, perhaps by force, laying down for it the full value.—Do they act unjuſtly?

2. C diſcovers on his eſtate a medicinal well; A is afflicted with the malady which the waters of that well cure; and aſks to buy from C, and is refuſed. He tells C, it is the gift of God, and that he ought not to keep it up uſeleſsly; but cannot prevail. He therefore takes of the water, leaving a full compenſation.—Does he act unjuſtly?

3. D is ſhipwrecked; he, however, ſaves money, cloaths, &c. but no food. He goes to the houſe of E, who has plenty of food, and to ſpare; but is afflicted with a malady, which he knows D can cure by ſome ſecret method, known only to himſelf. D aſks food of E, and offers him the full price for it. E anſwers, that if D will cure his malady, he will give him food; but on no other terms. D, to ſave himſelf from ſtarving, cures E, though much contrary to his inclination.—Does E wrong in thus forcing D to cure him?—But if A did nothing unjuſt in taking food from C without his conſent, might not D juſtly do ſo to E in this caſe?—No: D forfeits his right by refuſing to communicate a benefit intruſted to him by God for the benefit of man; and E had an equal right, though perhaps not equal power, to force the cure from D, as A had to force the food from C

Theſe caſes are put on ſuppoſition that man were in a ſtate of nature:—ſuppoſe the parties to be members of a ſociety, their property would be much more limited.

Examples.—4. Several proprietors of large eſtates chuſe to turn them into paſture or hunting grounds; by which many members of the ſociety can ſcarcely get food. The ſociety, or its repreſentatives aſſembled, order ſuch proprietors to lay the whole, or ſuch part of their eſtates as is thought proper, under corn, on pain of forfeiting them.—Would this be unjuſt?

5. Several farmers who have large crops of corn, refuſe to ſell it, in hopes of extorting an exorbitant price from the buyers. But they are ordered, by the ſociety, to bring their corn to market, and ſell it at a reaſonable price.—Would this be unjuſt?

6. Though perſons may not have an abſolute property in their goods, yet ſurely, it may be thought, they will in their perſons. But let us ſuppoſe an invaſion, they will be told, they muſt take arms, and repel the invaders; which they are obliged to do, though at the hazard of their lives. Is this compulſion unjuſt?—In the ſame manner, all artiſans, nay even divines, lawyers, phyſicians, every man, may juſtly be compelled to exerciſe his buſineſs for the benefit of the ſtate, on receiving a proper compenſation for his labour.

Let us now conſider literary property, or what property an author has in a literary compoſition: whether he has an abſolute and perpetual property in it, ſo as to be intitled to fix the price as high as he pleaſes; to ſuppreſs the book, by not permitting another edition to be printed; and to tranſmit the property in perpetuity to his heirs and aſſigns, and they to their heirs and aſſigns to the end of time;—or if he may juſtly be limited in all theſe reſpects.

Literary property conſiſts firſt in ideas, and next in the ſame ideas communicated by words, or by writing, printing, engraving, &c.

While the author retains his ideas in his mind, they are, to all other men, like a medicinal well or plant which a man finds on his eſtate, and whoſe virtues are known only to himſelf. Neither the ideas in the one caſe, nor the knowledge of the virtues of the waters or plant in the other, can be ſubjected to human laws, becauſe their exiſtence is known only to the poſſeſſor: but ſuch a poſſeſſor does a real injury to his fellow-men by concealing what would be a benefit to them,—by denying them what is really their right, though by the imperfection of their nature they have no power to force it from him: and for ſuch *injuſtice* he will be made to anſwer by the omniſcient and juſt judge, to whom all men muſt give an account.

All human laws, whether poſitive or negative, that are conformable, and tend to enforce obedience, to the divine laws, muſt be fundamently right: and no man can juſtly complain for being compelled by human laws, to do a thing, the omiſſion

ſi n of which would render him culpable in the ſight of God. It may, however, be ſometimes difficult to determine whether a human law comes under the above predicament, or whether a particular mode of compulſion be allowable. Tho' E [ex. 3.] could juſtly with-hold food from D till he cured him, it may be doubted, if he could juſtly ſeize D by force, and ſhut him up from food till he cured him; much more if he could juſtly by thoſe means force him to diſcover his ſecret method of cure. But all human laws that come clearly under the above predicament muſt be fundamentally right. Perhaps the puniſhment of mental crimes ſhould be left to that omniſcient being who is the alone ſearcher of hearts; and that no human laws ſhould be made to compel a man to reveal what is in his mind, provided no body be injured by the concealment, even though many perſons might be benefited by his revealing it.

But if ideas or diſcoveries be once communicated, they then become ſubject to human laws, as much as is one man's known ſtrength, another's ingenuity, a third's knowledge in a certain profeſſion, &c.

Ideas may be communicated in different ways, — by ſigns and geſtures; by ſounds, inarticulate and articulate; by characters, arbitrary and hieroglyphical, &c. Articulate ſounds, or ſpeech, are repreſented by arbitrary characters; and almoſt all ideas may be communicated by ſpeech, or by thoſe characters: but ideas that relate to material ſubſtances may be more eaſily communicated by hieroglyphical characters, or by models.

It will, I preſume, be admitted, that a man's property in his ideas is alike good whatever be the ſubject of them; whether principles, maxims, ſentiments, &c.; or the nature of animal, vegetable, or mineral ſubſtances, or of light and colours; or the magnitudes, diſtances, motions, and velocities, of the heavenly bodies; or geometry, arithmetic, mechanics, &c.; or the fine arts, and other exertions of the imagination; and that in whatever of the ways above mentioned a man communicate his ideas, his property in them is neither better nor worſe than if he had communicated them in any other of thoſe ways. Thus, if A communicate his ideas by the arbitrary characters uſed in writing, printing, &c. and B communicate his by hieroglyphical characters, or by a model, the property of A in his ideas is rendered neither better nor worſe than is that of B in his, by the different manner of communication. To controvert this would lead to an abſurdity: for ſuppoſe B to form the idea of a complex machine, and to make a model of it, from which model any workman could make the intended machine; and that A having ſeen this model, wrote a clear deſcription of it, ſo that a workman (but of much greater ingenuity than was neceſſary in the caſe of the model) could make the machine from the deſcription; could it be ſaid, that A acquired a better right to the idea which he had copied from B's, than B, the original author, had to it? that one who had copied the idea from another, and communicated it in a leſs perfect manner, ſhould acquire a better right to it than the original author had, who had communicated it in a more perfect manner? — May I not then conclude, that authors of machines and authors of books are preciſely in the ſame predicament? —— As to communication by ſigns or ſounds, I preſume no man pretends any property in his ideas after they are ſo communicated; at leaſt any right to prohibit others from uſing and communicating them in the ſame manner.

Can a man, then, have a better claim to an abſolute and perpetual property in his literary compoſitions, than any man has in his eſtate, his goods, his perſon, or his knowledge in his profeſſion, whether liberal or mechanical? All theſe are ſubject to the laws of the ſociety.

Allow me to offer a conſideration or two more, to ſhow the groundleſſneſs of a claim to an abſolute and perpetual property in a book.

1. It is through indulgence that any thing is permitted to be introduced into a country as an article of commerce; and whatever power has a right to permit or prohibit the introduction, muſt ſurely have a right to regulate. The privilege every Britiſh ſubject has of publiſhing his ſentiments upon any ſubject, is a very valuable one: but this privilege muſt be exerciſed in ſuch a manner as the ſtate ſhall judge moſt beneficial to the ſubjects, and moſt agreeable to juſtice. Now, to permit a ſeller to force a buyer to pay what price he pleaſes, and even to ſuppreſs the book altogether, would be giving a ſanction to extortion. A ſeller and a buyer are equally beneficial to each other.

2. In well-governed ſtates, regulations are made to prevent an exorbitant increaſe of the price of labour by combinations. An author has the benefit of theſe regulations to prevent extortion in his printers, paper-makers, &c. Sure, then, he cannot claim an uncontroulable power of raiſing the price of his book, which is produced by his labour and theirs jointly, as high as he pleaſes. This would be claiming a power of extorting from them, as well as from all others who buy his book, what price he pleaſes, after having denied them a like privilege; nay even compelled them to be inſtruments of their own oppreſſion, by preparing his ideas for the market.

3. Few of our modern inventions or books have, ſtrictly ſpeaking, a juſt claim to originality. The inventor of a piece of mechaniſm is indebted to Euclid and others for the principles on which he proceeds, and to the ingenious artiſans who execute his plans. And as to the author of a book, he is greatly indebted to the philoſoper, the grammarian, &c. for the origin and arrangement of his ideas, which may be conſidered as the ground-work of his book; and ſtill more, to make it an article of commerce, is he indebted to the inventors of paper and printing. What for a poor matter would literary property be in England in the 6th and 7th centuries, when it was rare to meet with a perſon that could read; when printing was not known, nor paper; and when the materials for writing were ſo ſcarce, that, as Dr Henry tells us [20.], many ancient manuſcripts appear on parchment (the material then uſed for writing on) from which ſome former writing had been erazed. —— Suppoſe a man to write a book on navigation, his ground-work muſt be the virtues of the magnet, the uſes and properties of a ſhip, and the principles of mathematics that he has been taught. To give ſuch a perſon an abſolute and perpetual property in his book, would ſomewhat reſemble the giving one an abſolute and perpetual property in a houſe which he had built on a common, and whoſe right reſted entirely on the contrivance, he having taken the ſtones, timber, and other materials, from the common, and the execution having been entirely the work of the ingenious and induſtrious labourers, which was likewiſe common property. In like manner, great part of a book, even of the ſubſtance of it, and the whole of the outward form, that which makes it marketable, is made of common property.

Equity, however, and expediency, both require that due encouragement be given to inventors and authors. This is properly done to inventors, by allowing them a right, by patent, to the whole profits accruing from their invention for a certain period, without any limitation as to price. Authors have the ſame privilege by a ſpecial ſtatute; and by a late ſolemn deciſion in the laſt reſort, this ſtatute is the only ground on which they can claim a excluſive right to the printing of their own works. This deciſion is conformable to the moſt clear principles of juſtice; though it has, I am told, annihilated to the amount of more than 100,000 l. of what certain London bookſellers imagined to be as much their property as a man imagines his eſtate to be.

But books being now a conſiderable branch of commerce, it might be proper to conſider what influence this deciſion may have; and to prevent, if poſſible, any ill conſequences from it. — Authors, bookſellers, printers, and the public in general, are here intereſted: may I ſuggeſt ſome hints on the ſubject?

That authors, and the public, may be properly ſerved, let no man ſet up a printing-houſe, till he undergo an examination of his knowledge, not only in his proper profeſſion, but likewiſe in the Engliſh language, ſo as he may diſcover a palpable blunder in a MS. ſuch as an obvious violation of grammar. And let his name, and the place, year, and month of publication, be put on every book he prints.

Let an author have the ſole right, by himſelf or his aſſigns, of printing his book, for ſix months, without entry, that he may have time to find a proper purchaſer; provided, that if he do not enter it before the expiration of the ſix months, he be preſumed to have given it to the public.

Let his excluſive right to himſelf and his aſſigns ſubſiſt for twenty-one years, to be computed from the date of publication; and while he lives, let the King be impowered to give him a patent, continuing his right for ſeven years more, or till a full year after his death, provided he get the patent a full twelvemonth, before the twenty-one or former ſeven years be expired. This is deſigned to prevent a man's delicacy being ſhocked by ſeeing his book done in a mean, ſlovenly, and

and incorrect manner, which might produce a ſenſation ſomewhat ſimilar to ſeeing a favourite child in rags.

Let ſome regulations be eſtabliſhed among the bookſellers and printers all over Britain, (if Ireland could be included, ſo much the better), that the market may be amply ſupplied with every book of merit, and at the ſame time, that it may not be overſtocked or glutted with any one: books only that are common property are meant.—For this purpoſe,

Let a board be eſtabliſhed at London, to conſiſt of a certain number, ſuppoſe thirteen, bookſellers, printers, and gentlemen; of which London to chuſe ſix, the other towns in England three, and Scotland four; the ſix for London to be two gentlemen, two bookſellers, and two printers; and the other towns of England, one each of theſe; and Scotland one gentleman, two bookſellers, and one printer.

Let every one before printing a book ſend notice to the clerk of this board, ſpecifying the book, the ſize of type, the volume, and the number of copies he propoſes to print.— Let the board meet at ſtated times, and examine the notices given, and direct the book to be done by or for the perſon whoſe notice is of the earlieſt date, provided he give proper ſecurity for executing it properly, and in a reaſonable time, but without hurry.

Let the board, at ſtated times, publiſh a catalogue of the books then in the preſs, ſpecifying by or for whom printing, and the number of copies; and let every bookſeller be intitled to demand a twentieth part of the number, as ſoon as publiſhed, he giving ſecurity to pay the price in ſix months, the offerers to be preferred according to the dates of their offers; and the publiſher to be allowed to retain only one twentieth to himſelf, if others demand them before publication.

I am far from thinking theſe rules properly digeſted, but that ſome rules are neceſſary is evident: for otherwiſe twenty or thirty perſons may print the ſame book at the ſame time, to the certain loſs of every one of them, and to ſuch retailers as may have provided themſelves in a moderate number, at a reaſonable price; who, upon the fall of the price, muſt ſell much below the coſt, or perhaps be obliged to make waſte paper of their copies.

Nor let it be imagined that theſe reſtrictions would be of the nature of a monopoly, for enhancing the price to the buyers. The Bible is the cheapeſt book in the market, and this is owing to its being in the hands of the King's printer. By ſuch a method as that propoſed, books would be at a reaſonable price, neither too high nor too low; which is the ſureſt baſis for trade.—*I am, &c.*

E. R.

P. S. I hear that the London bookſellers whoſe pretended property is now annihilated, have petitioned the parliament for relief, ſuppoſed to be a excluſive right, for a limited time, to the printing of the books of the property of which they are diveſted; and that the bookſellers, &c. of Scotland mean to oppoſe them.—Might not this be turned to account, by making relief and regulation ſubſervient the one to the other? —I offer a hint.

Let all thoſe who, ſince the deciſion of the court of king's-bench in 1769, confirming a perpetuity in book-property, have made purchaſes of ſuch property not ſecured by 8° Ann. and who can produce probable evidence that they believed the property to be unchallengeable, and who are not in opulent circumſtances, be ſecured in a excluſive right to the printing of thoſe books for three years, to be computed from the date of the judgement in the laſt reſort, annulling ſuch perpetual property,—on the following conditions.

1. That all bookſellers or printers in Britain who may have any copies of ſuch books on hand, or any parts of them begun printing and not finiſhed, be intitled to receive from the perſons who get redreſs, in the option of theſe perſons, either the price of the paper and printing of what is already done, or to be allowed to finiſh what is unfiniſhed, and to diſpoſe of their copies freely in what manner they pleaſe; the perſons getting ſuch relief being obliged, in a limited time, to publiſh a catalogue of the books ſo ſecured to them reſpectively; and the perſons who have any copies of thoſe books on hand, or unfiniſhed editions, being obliged to ſend them notice, in a limited time, of the ſtate of their copies or unfiniſhed editions.

2. That however this excluſive right expire at the end of the firſt year, if before that time regulations be not eſtabliſhed for preventing a glut, or overſtocking

flocking of the market. That for framing ſuch regulations, theſe gentlemen ſend a circular letter, one or more addreſſed to the booſellers and printers in every town in Britain, deſiring them to ſend a form of ſuch regulations as appear to them beſt. That from ſuch hints as ſhall be ſuggeſted, and from the joint abilities of the gentlemen of London, a ſet of regulations be printed, and circulated, one or more copies addreſſed to the bookſellers and printers in every town in Britain, in order that ſuch amendments may be made as ſhall occur. That then the ſame number of commiſſioners be appointed as before propoſed, ſix of London, three of the other towns in England, and four of Scotland, to meet at London, and adjuſt the regulations; after which that they be printed by authority, and be binding on all dealers in books.

If it appear that the gentlemen relieved, have uſed proper diligence to get the regulations eſtabliſhed, and that notwithſtanding they have not been got perfected ſo as to be agreed to, their excluſive right ſhould not be ſhortened on that account, but remain the full time propoſed.—The time mentioned may be too ſhort; but that is eaſily rectified.—If a dozen or a ſcore of bookſellers reſiding in one town lived in good neighbourhood, none of them would print a book that a neighbour had a great number of copies of on hand, or that he was begun the printing of. The intent of the propoſed regulations is to render ſuch good neighbourhood general all over Britain.

An extract of a letter from Capt. Duff, of the Eaſt-India company's artillery at Bengal, dated Feb. 26. 1773, to his father, a gentleman of the county of Moray.

—— A few days ago I happened to be out on a ſhooting-party with ſeveral gentlemen of the military, and had detached myſelf to ſome conſiderable diſtance from them, when they put up a very large tyger, who directed his courſe towards me. I immediately fired at him, which had no other effect (being ſmall ſhot) than that of irritating him, inſomuch that he flew at me with great fury. I kept him at bay a conſiderable time with my fowling-piece, on which was fixed a bayonet, as is uſual in this country when we go a-ſhooting: but at laſt I was rendered very weak, occaſioned by the loſs of blood, having received many wounds in my face, arms, and ſeveral parts of my body; and none of my companions appearing to my aſſiſtance, they having all made off, the animal made a furious effort, by leaping upon me, which threw me down: he immediately got upon me, and was ready to tear me in pieces, when I ſtretched out my hand to the muzzle of my piece, and unfixed the bayonet, with which I aimed a blow ſo judiciouſly, that I pierced his heart: he inſtantly fell down dead upon me. I believe I may venture to obſerve, that never was any man nearer being devoured by a voracious animal than I was upon the above occaſion. I conſider my deliverance as an act of Providence.

SIR, *Feb.* 28.

THere are at preſent in the town of Newport, Rhode iſland, two negro men, named *Briſtol Yamma*, and *John Zuamine*, who were, ſome years ago, hopefully converted to Chriſtianity; and have, ſince that time, ſuſtained a good character, and made conſiderable proficiency in Chriſtian knowledge. The latter is the ſon of a rich man at Annamaboe, and was ſent by his father to the place above mentioned, in order to be educated among the Engliſh, and thereafter to be returned home: but the perſon to whoſe care he was committed, inſtead of being faithful to his truſt, ſold him a ſlave for life! Both of them having lately joined in purchaſing a ticket in a lottery, they got a prize of 300 dollars; with which, and ſome other helps, they bought their liberty. The former, however, as he could not obtain his freedom under 200 dollars, is in debt 50 dollars, which he muſt procure by his labour, unleſs he ſhall be relieved by the charity of others. Theſe perſons are about 30 years of age, have good natural abilities, are apt, ſteady, and judicious, and ſpeak their native language, the language of a numerous and powerful Heathen nation in Guinea. They are not only willing, but very deſirous, to quit all worldly poſſeſſions and proſpects, and to riſk their lives in attempting to open a door for the propagation of the goſpel among their poor, ignorant, and periſhing brethren. Moved with theſe circumſtances, ſeveral perſons of moſt reſpectable characters in Newport, have opened a ſubſcription for the purpoſes of paying the aforeſaid debt of the former of theſe two negroes, and of putting both of them to ſchool, that they may may be taught to read and write

write better than they can now do; and that they may be inſtructed more fully in divinity, and other neceſſary knowledge. If, upon trial, they ſhall be found properly qualified, it is propoſed, that they ſhall be ſent on a miſſion to their countrymen in Guinea. The advantages to be expected from ſuch a miſſion, are too obvious to require illuſtration. Former attempts having been made by perſons unacquainted with the language, and utter ſtrangers to the manners of the people whom they were ſent to inſtruct, it is no wonder that they have been attended with very little, or rather no ſucceſs. Should not then all who wiſh well to the intereſts of the Redeemer's kingdom, rejoice at this ſo favourable opportunity of extending it to thoſe nations, which are ſtill dwelling in the habitations of cruelty, and in the land of the ſhadow of death? *Cal. Merc.*

To LORD NORTH.

My Lord,

YOU will ſoon have it in your power to do much good or much evil to your country, by the ſide you ſhall take in a queſtion that will probably be ſoon debated in parliament. — It is a queſtion of ſuch importance, that any error may produce the moſt fatal conſequences, and ſtamp your adminiſtration with a ſtain that an age will not obliterate.

The queſtion is no leſs than, Whether the linen manufacture of Great Britain and Ireland, in its preſent diſtreſſed ſtate, ſhall be protected and ſupported by government, or deſerted and ruined? That manufacture has been carried on in England to a great extent for many years. It is the ſtaple of Ireland and of Scotland; without it theſe nations would be unable to pay for the large quantities of Engliſh manufactures annually conſumed by them.

Great pains and induſtry were beſtowed in introducing and extending the linen manufacture in theſe kingdoms; public boards were inſtituted to nurſe it up; large ſums were annually expended; and many laws have been enacted in its behalf. By means of theſe encouragements, the wiſhed-for end has in ſome meaſure been obtained; the trade is greatly enlarged and extended, and is now become a very capital and intereſting object.

Its own advancement, however, is likely to prove its ruin. Government has been at great pains to introduce the manufacture; but at the ſame time permits foreign linens to ingroſs the market, while our own remain unſold, and many thouſands of our induſtrious poor are ſtarving for want of employment.

The enemies of the home-linen manufacture alledge, that the trade is overdone; that, like a river, it has overflown its banks, and is now only returning to its proper and former channel. — Can this be true, my Lord, while twenty-eight or thirty millions of yards of foreign linen are annually imported into Great Britain; which, if manufactured at home, would employ ſome hundred thouſands more of our own people, and ſave the nation near two millions of money, remitted to foreigners for that article.

They tell us, that foreign nations will not take our woollens, or hardwares, &c. unleſs we take their linens in return. — This, my Lord, is a mere bugbear, a phantom that has been exhibited on every occaſion, but in reality has no exiſtence. Our exports to Holland are ten times greater than they were forty years ago, though our imports are leſſened. Germany draws the greateſt part of their woollens and ſugars from France, which does not take one yard of their linens. The King of Pruſſia has laid prohibitory duties on Britiſh woollens, though Britain is ſupplied with more linens from his dominions than from any other foreign ſtate. In ſhort, this may be laid down as an infallible maxim, That trade flows not from complaiſance, but from intereſt; and that foreigners will continue to prefer the Britiſh manufactures, as long as they find them beſt or cheapeſt, without any other conſideration whatever.

At all events, the evils here dreaded are imaginary, and at a diſtance; they may not happen: but thoſe conſequent on the decline of the linen manufacture are already felt in every part of Britain and Ireland. The manufacturers are ſtill ſtruggling to ſupport their trade, as far as their money or credit will permit, in hopes of relief from parliament: if they are diſappointed, thouſands of them will be ruined, and great numbers of ſpinners and weavers thrown out of employment, perhaps under the neceſſity of abandoning their native country, which we may one day ſeverely feel, and regret their loſs.

BRITON.

Lond. pap. Jan. 27.

SIR,

SIR, *Edinburgh, Feb.* 18.

THE emigrations from the more northern and weſtern parts of this country to America, are now grown alarming, and loudly call for the help and aſſiſtance of the legiſlature; but the taſk of preventing people from flying from a country where they are ſtarved, to one where they have the happy proſpect of all the conveniencies of life in abundance, for their lawful induſtry, is exceedingly difficult; and, indeed, what I hope, the laws of our free conſtitution cannot reach to. The propoſing to confine a Britiſh ſubject in a corner, where he has the certain proſpect of famiſhing, (for the good of population), is a deteſtable idea, and unworthy the thought of a Britiſh lawgiver; therefore I hope our illuſtrious ſenate will never adopt ſo harſh a method to defeat emigration. Yet ſome method it is neceſſary to take, and that ſoon, to prevent this country from growing a deſert. The evil is gradually advancing from the wild and remoteſt parts to the more ſouthern; and that ſpirit, which at firſt only infected the pooreſt huſbandman, has now taken poſſeſſion of our manufacturers. The wonted wealthy and opulent town of Paiſley cannot now ſupport thoſe ingenious mechanics who have raiſed it to its preſent greatneſs, but they are forced to abandon their friends and country, and ſeek that ſubſiſtence in a diſtant clime, which they cannot obtain in their own. The ſtate, by this unhappy evil, not only loſes thoſe uſeful members, but alſo their families and offspring; and what is ſtill more alarming, they go and naturalize themſelves among the diſobedient children of the mother-country, and imbibe their deſtructive notions of anarchy. The Americans are already too prone to throw off the yoke, which, in my opinion, hangs gently about their necks; and every ſhipful of theſe emigrants that reaches their ſhores, will haſten that day when they ſhall throw off their dependence upon Britain altogether. Beſides, the great acquiſition of theſe manufacturers to America, will proportionally be a loſs to the mother-country, as the many commodities that are in uſe to be exported from our markets, will ceaſe to be demanded, theſe articles being cheaper furniſhed by what I may call their *new ſubjects*. But not only America will be the ſeat of emigration, but other countries, from whom we draw a vaſt balance in trade, will likewiſe, with open arms, receive our needy artiſans, and give them ſuch a degree of encouragement, as will greatly accelerate our misfortune. The moſt obvious potentate in Europe from whom we are likely to ſuffer, is the preſent Empreſs of Ruſſia; her vaſt genius for political commerce, with the noble profuſion with which ſhe treats men of genius indiſcriminately of all nations, will tempt many of our manufacturers to fly with their families to her munificence; and thoſe articles, of which we export ſuch quantities up the Baltic to St Peterſburg, and the other Imperial ports, will daily decreaſe in conſumpt, and the once-boaſted commerce of our country quickly decay.

But let us in time avert theſe dangers, and nobly rouſe ourſelves from our preſent lethargy: let us conſider, that it is the intereſt of our country that is at ſtake; and that it behoves us, as Britons, to make every human effort to reſcue it from its impending fate.

I am happy to hear one ſcheme talked of, which, if put in execution, will certainly conduce not a little to that deſirable end; I mean, the re-eſtabliſhing thoſe ancient, though miſguided chieftains, in their paternal properties, at a low price. It is impoſſible to conceive with what joyous alacrity their remaining dependents will fly under their protection; and the ſmallneſs of the purchaſe of theſe lands will put it in the power of the proprietor to ſet them at ſo low a rental, that the induſtrious huſbandman will ſtill be able to live comfortably in his own country, without conſigning himſelf over to perpetual baniſhment in a diſtant clime.

The next, and indeed the grand object of our legiſlature, to prevent the further growth of emigration, is ſome wiſe and wholeſome laws for the encouragement of the linen manufacture: the decreaſe of this branch of commerce has not a little aided the evil complained of, and I hope, by the end of the preſent ſeſſion of parliament, to ſee it remedied. Many other thoughts might be ſuggeſted on this ſubject, which, I hope, ſome of your correſpondents, poſſeſſed of greater abilities, will lay before the public. If this finds encouragement, I may poſſibly, at ſome future period, trouble you further. I am, &c.

Cal. Merc. PHILOPATRIÆ.

The extracts concerning Literary Property, concluded. [17.]

LORD COALSTON. [*Extracts.*]

It is ſingular that this, though ſuppoſed to be a common-law right, has not been acknowledged in any country except England; and even there it appears to have been only a modern invention, always diſputed, and never ſettled, till a late deciſion in the court of king's-bench, which was not unanimous; and in another caſe which has ſince occurred in England, the point is now under appeal.

In theſe circumſtances, it is incumbent on the purſuer to eſtabliſh the principles in the law of nature, and common law of Scotland, on which their claim is founded.

The purſuer's plea is founded on this ſuppoſition, that an author has a perpetual *property* in the ſtyle and ideas of his work. But I cannot admit this propoſition, as it is eſſential to *property*, that it ſhould relate to ſomething corporeal and tangible; whereas abſtract ideas are not corporeal, but purely ſpiritual and mental.

There are other eſſential characteriſtics of property,—that it ſhould be deſcendible to heirs, affectable by creditors, and forfeitable for crimes; none of which can apply to abſtract ideas.

A queſtion has been put, At what period this property in authors is ſuppoſed to commence or attach?

Is it from the firſt conception, from the time they are reduced to writing, or from the time of the firſt publication? I do not ſee how an excluſive right, which is eſſential to the idea of *property*, can commence or attach at any of theſe periods; as the ſame ideas might have occurred to others, independent of the publication.

And as to what is ſaid, that the ſame ideas cannot occur to two different perſons:—I admit, in works of imagination that can ſcarcely happen.

But in intellectual works it is otherwiſe.

In mathematical works, the ideas and compoſition muſt be the ſame in every particular; and in moral works, it will as naturally and probably happen, that the ideas of different perſons, equally well informed, will be the ſame, although the ſtyle and compoſition may be different.

Upon theſe principles, I do not think that abſtract ideas or ſentiments can be conſidered as objects of property; and this is the chief ground on which the purſuer's plea is ſuppoſed to ſtand. ——

Upon the ſuppoſition of a common-law right in authors, I cannot diſtinguiſh between natives and ſtrangers; and if, in this caſe, we ſhall ſuſtain an action at common law, at the inſtance of this purſuer, we ſhall be under the neceſſity of ſuſtaining the like action at the inſtance of Monſ. Voltaire, or any other modern author on the continent, who may with equal reaſon complain, that his common-law right has been violated and incroached upon, by publications made of his works in this country, without his conſent.——

The title of the act 8° Ann. bears to be "for VESTING the copies of printed books in the authors" during the times therein mentioned; which was very proper on the ſuppoſition that a temporary right was to be created; but utterly inconſiſtent with the idea of a perpetual right at common law.

And the ſtatutory part is ſtill more inconſiſtent with that idea, when it declares, "that authors ſhall have the ſole right of printing their works, for the reſpective terms of fourteen and twenty-one years, and NO LONGER;" which laſt words ſeem to have been inſerted for no other purpoſe, but to exclude the claim of a perpetual right, now made by the purſuer.—Shall we then find, in direct contradiction to the terms of the ſtatute, that they ſhall have it LONGER, that they ſhall have it PERPETUALLY? ——

Suppoſing the general argument were with the purſuer, there is a ſpecial circumſtance in this caſe, which might go far to operate an abſolviture in favour of the defenders. It is averred by the defenders, and not denied by the purſuer, that the publication made by the defenders was not clandeſtinely made, but openly advertiſed, for a long courſe of time, in all the news-papers here, and by hand-bills at London; and that the work was afterwards publiſhed in numbers, at very diſtant intervals. In theſe circumſtances, the purſuer, who could not be ignorant of the intended publication, ought to have interpoſed to prevent the publication; and as he did not, it might naturally be preſumed, that he meant to abandon his right: which would be a ſeparate ground for abſoilzieing the defenders;

ders; or, at leaſt, it might be a ground for finding the purſuer barred *perſonali exceptione* from inſiſting in the claim of damages he now makes againſt the defenders

LORD PRESIDENT. [*Extracts.*]

The great attention which your Lordſhips have beſtowed on this cauſe, and the diſtinctneſs with which you have delivered your opinions, render it almoſt unneceſſary for me to add any thing. But I never chuſe to cover my opinion, when ſitting in this chair. Without farther preamble, I am of opinion with the majority of your Lordſhips; though I will own, that I have had much difficulty, from the weight of the ſentiments of a learned judge, who preſides in the court of king's-bench; for whoſe opinion, as well as for his perſon, I entertain the higheſt eſteem, and whom I have ever conſidered as one of the brigheſt ornaments of the law. But I muſt not permit myſelf to be biaſſed by the moſt reſpectable authority, when, after the moſt mature deliberation, I have formed the opinion which I now delive:. ——

If there had been ſuch a property [as that contended for], would the legiſlature have looked on for years, and ſeen it violated? The caſe which I allude to is, that of books printed abroad. This right of property then was *impune* violated, even after the act of Queen Anne, till the 12th of George II.: for until the laſt-mentioned act was made, it was lawful for a man, who could not print in London, to ſtep over to Holland, print there, and then import the books to England. Is not this inconſiſtent with a common law right? When we look at that ſtatute, where we ſhould have expected a narrative of the common law right, had any ſuch been underſtood, not a ſingle idea of property is urged as a motive for preventing the importation of foreign editions. — No: — There is only a narrative of the revenue being defrauded of its ſtamp-duties. Beſides, had there been ſuch a property, would not that act have been perpetual? whereas we find that it is only temporary, though indeed it has been ſeveral times renewed.

But I go farther: — If there were really a property in the author, the law could not take it away from him; I maintain it on the great principles of property: yet that act ſays, that any perſon may reprint ſmall tracts, if bound in with others. This would be permitting a treſpaſs on property, if an author had a property in his compoſitions: and I muſt obſerve, that ſome of the beſt pieces I have ſeen, have conſiſted only of fifty or a hundred pages. ——

I will not run over my brother's arguments as to Bayes's method of making a thing his own, or as to tranſlation, which, however, do ſtrongly ſhew, that a property in ideas is not underſtood. If a man publiſhes a book originally in Latin, and another ſhall tranſlate that book into Engliſh, the tranſlator will draw more profit than the author, becauſe there are, comparatively, but few who read Latin.

Beſides, the ſpecialities mentioned in the judgement of the court of king's-bench, convince me, that this is a property of an extraordinary nature. I have no notion of a property of this kind. One of the circumſtances found by the jury, upon which that judgement proceeds, is, that a ſufficient number of copies was ready for ſale. If a book is my property, who ſhall force me to throw off more copies of it than I pleaſe? I may throw off only a hundred copies: I may wiſh to enhance the price, though indeed it cannot be higher than that of many of our new books: I may ſay I want to have it ſold as high as Dr Hawkeſworth's book. [xxxiv. 369.] ——

Literary property is not a property at common law: it is one of thoſe *jura imperfecta*, that an honeſt man will not violate; but it cannot be ſupported by a *rei vindicatio*.

Many inſtances could be given of ſuch imperfect rights as produce no action at law; yet, in juſtice and equity, may not improperly be called equitable or juſt claims.

Thus, a man in proſperity advances to his friend in diſtreſs a ſum of money; by the viciſſitude of human affairs, the rich man becomes poor, and the poor man rich: upon every principle of equity, juſtice, or gratitude, ſurely the perſon who received the former's favours, ſhould now return them to his benefactor: yet there is no action at law that compels a man to gratitude.

An author who has given his ideas to the public, may have done a good thing, for which the public is indebted to him; but common law does not enforce the return that he ſhould receive, and therefore a reaſonable proviſion is made by ſtatute. ——

The

The title of the act of Q. Anne went in for *ſecuring*; it came out, for *veſting*. I could venture to ſay, that if we could ſee the amendments, it would appear, that the word *ſecuring* ſtruck the houſe ſo ſtrongly, as inferring a common law right, that they would not allow it: and I could alſo venture to ſay, that the words *no longer*, were thrown in from the jealouſy of the houſe as to this.

One of my brethren mentioned the *veſting act* [12.], and ſeemed to think that it did not confer any right, but only ſecured what belonged to the crown *ipſo jure*. But there I differ from him. — By the law of England, the eſtates of traitors were not veſted in the crown without an office of inquiſition, and many other ſubtleties required by law. — To prevent critical objections that might ariſe from informality of proceedings, the ſtatute directly veſted the right to the eſtates in the crown, ſubject to the claim of all juſt and lawful creditors, particularly mentioned in the ſtatute.

[*The opinions of the Lords Juſtice-Clerk and Alva are likewiſe publiſhed; but, for want of room, muſt be paſſed over here. Lords Elliock, Stoneſield, and Pitfour, did not ſpeak; but all were againſt a perpetuity. Lords Strichen and Alemoor were abſent.*]

James Ferguſon's account concluded. [8.]

I had a letter of recommendation from Mr Baron Edlin at Edinburgh to the Rt Hon. Stephen Poyntz, Eſq; at St James's, who had been preceptor to his R. H. the late Duke of Cumberland, and was well known to be poſſeſſed of all the good qualities that can adorn a human mind. — To me, his goodneſs was really beyond my power of expreſſion; and I had not been a month in London till he informed me, that he had wrote to an eminent profeſſor of mathematics to take me into his houſe, and give me board and lodging, with all proper inſtructions to qualify me for teaching a mathematical ſchool he (Mr Poyntz) had in view for me, and would get me ſettled in it. This I ſhould have liked very well, eſpecially as I began to be tired of drawing pictures; in which, I confeſs, I never ſtrove to excel, becauſe my mind was ſtill purſuing things more agreeable. He ſoon after told me, he had juſt received an anſwer from the mathematical maſter, deſiring I might be ſent immediately to him. On hearing this, I told Mr Poyntz, that I did not know how to maintain my wife during the time I muſt be under the maſter's tuition. What, ſays he, are you a married man? I told him I had been ſo ever ſince May in the year 1739. He ſaid, he was ſorry for it, becauſe it quite defeated his ſcheme; as the maſter of the ſchool he had in view for me muſt be a bachelor.

He then aſked me what buſineſs I intended to follow? I anſwered, that I knew of none beſides that of drawing pictures. On this he deſired me to draw the pictures of his lady and children, that he might ſhew them, in order to recommend me to others; and told me, that, when I was out of buſineſs, I ſhould come to him, and he would find me as much as he could: and I ſoon found as much as I could execute: but he died in a few years after, to my inexpreſſible grief.

Soon afterward, it appeared to me, that although the moon goes round the earth, and that the ſun is far on the outſide of the moon's orbit, yet the moon's motion muſt be in a line, that is, always concave toward the ſun: and upon making a delineation repreſenting her abſolute path in the heavens, I found it to be really ſo. I then made a ſimple machine for delineating both her path and the earth's on a long paper laid on the floor. I carried the machine and delineation to the late Martin Folkes, Eſq; Preſident of the Royal Society, on a Thurſday afternoon. He expreſſed great ſatisfaction at ſeeing it, as it was a new diſcovery; and took me that evening with him to the Royal Society, where I ſhewed the delineation, and the method of doing it.

When the buſineſs of the Society was over, one of the members deſired me to dine with him next Saturday at Hackney; telling me that his name was *Ellicott*, and that he was a watchmaker.

I accordingly went to Hackney, and was kindly received by Mr John Ellicott, who then ſhewed me the very ſame kind of delineation, and part of the machine by which he had done it; telling me that he had thought of it twenty years before. I could eaſily ſee, by the colour of the paper, and of the ink lines upon it, that it muſt have been done many years before I ſaw it. He then told me, what was very certain, that he had neither ſtolen the thought from me, nor had I from him. And from that time till his death, Mr Ellicott was one of my beſt friends. The figure of this

machine and delineation is in the 7th plate of my book of Aſtronomy.

Soon after the ſtyle was changed, I had my rotula new engraved; but have neglected it too much, by not fitting it up and advertiſing it. After this, I drew out a ſcheme, and had it engraved, for ſhewing all the problems of the rotula except the eclipſes: and, in place of that, it ſhews the times of riſing and ſetting of the ſun, moon, and ſtars; and the poſitions of the ſtars for any time of the night.

In the year 1747, I publiſhed a diſſertation on the phenomena of the Harveſt-Moon, with the deſcription of a new orrery, in which there are only four wheels. But having never had grammatical education, nor time to ſtudy the rules of juſt compoſition, I acknowledge that I was afraid to put it to the preſs; and, for the ſame cauſe, I ought to have the ſame fears ſtill. But having the pleaſure to find, that this my firſt work was not ill received, I was emboldened to go on, in publiſhing my Aſtronomy, Mechanical Lectures, Tables and Tracts relative to ſeveral arts and ſciences, The young Gentleman and Lady's Aſtronomy, a ſmall treatiſe on Electricity, and the following ſheets.

In the year 1748, I ventured to read lectures on the eclipſe of the ſun that fell on the 14th of July in that year. Afterwards I began to read aſtronomical lectures on an orrery which I made, and of which the figures of all the wheel-work are contained in the 6th and 7th plates of this book. I next began to make an apparatus for lectures on mechanics, and gradually increaſed the apparatus for other parts of experimental philoſophy, buying from others what I could not make for myſelf, till I brought it to its preſent ſtate.—I then entirely left off drawing pictures, and employed myſelf in the much pleaſanter buſineſs of reading lectures on Mechanics, Hydroſtatics, Hydraulics, Pneumatics, Electricity, and Aſtronomy: in all which, my encouragement has been greater than I could have expected.

The beſt machine I ever contrived is the Eclipſareon, of which there is a figure in the 15th plate of my Aſtronomy. It ſhews the time, quantity, duration, and progreſs of ſolar eclipſes, at all parts of the earth. My next beſt contrivance is the Univerſal Dialing Cilander, of which there is a figure in the 8th plate of the ſupplement to my Mechanical Lectures.

It is now thirty years ſince I came to London; and, during all that time, I have met with the higheſt inſtances of friendſhip from all ranks of people both in town and country, which I do here acknowledge with the utmoſt reſpect and gratitude; and particularly the goodneſs of our preſent gracious Sovereign, who, out of his privy purſe, allows me fifty pounds a-year, which is regularly paid without any deduction.

Proteſt, the Minority Lords in Ireland, againſt paſſing the ſtamp-act.

Die Jovis, 27° Januarii, 1774.

Hodie tertia vice lecta eſt billa, intitled,

An act for granting to his Majeſty, his heirs and ſucceſſors, ſeveral duties upon vellum, parchment, and paper.

THE queſtion was put, Whether this bill ſhall paſs?

It was reſolved in the affirmative.

Diſſentient,

1. Becauſe we conſider this tax as peculiarly burthenſome, in the preſent declining ſituation of this country, ſince no material indulgence has been granted, nor no conſtitutional or commercial reſtraint has been removed, in this oppreſſed country, to enable us to bear this additional incumbrance; and becauſe it does not appear to us, that there was any peculiar demand for it at preſent, which we may reaſonably infer from the act itſelf, as there is no clauſe to appropriate the produce of this tax to a particular purpoſe.

2. Becauſe we have reaſon to believe, that an aſſurance had been given to the other Houſe of Parliament, from adminiſtration, that the commiſſioners of accounts ſhould be employed as commiſſioners of ſtamps, which was intended as an inducement to their acquieſcence in this meaſure: whereas the words of the act elude, if not totally counteract this promiſe; ſince the commiſſioners of ſtamps are obliged to account annually before the commiſſioners of impreſt-accounts; and becauſe the Lord Lieutenant is enabled to appoint officers without limitation in number, or expence, or any qualification whatſoever.—And farther, there is no diſabling clauſe, ſimilar to

to that by which the officers of all duties created ſince 1692, are inadmiſſible in the Houſe of Commons of England; which muſt evidently increaſe the number of placemen, and the influence of the crown, in parliament.

3. Becauſe it ſeems to us unconſtitutional, to veſt the power in his Majeſty's repreſentative the Lord Lieutenant of Ireland, of aſcertaining annually, by proclamation, the price of paper and other materials, which ſhall be iſſued from the ſtamp-office; ſince a corrupt Viceroy may hereafter ſet his own price upon them without controul; which would not be the caſe if it were veſted in the commiſſioners of the revenue, or other officers under the controul of parliament, in like manner as this power is veſted in England in the Lords of the Treaſury.

4. Becauſe we conceive that this act, ſo far as it relates to the ſtamping of news-papers and of pamphlets, evidently tends to invade, and to abridge, the liberty of the preſs, that great and neceſſary outwork and barrier of our conſtitutional rights, which we ought ever to maintain againſt all invaſion with the moſt cautious attention, as upon its ſecurity muſt ultimately depend the very exiſtence of our excellent conſtitution; and becauſe, farther, the tax upon pamphlets was not a part of the firſt ſtamp-act in England, 5° Will. & Mary, chap. 21. but commenced in the 10th of Anne, chap. 19. in the latter end of the Queen's days; a period from whence we ſhould be ſorry to derive a precedent.

5. Becauſe, if the licentiouſneſs of the preſs be an object of complaint, it ſhould be reſtrained by a manly mode of legiſlation, ſtrengthening the criminal juſtice of this country; and not by making the crown countenance it to a certain degree, by conſidering it as the ſubject of revenue.

6. Becauſe finally we muſt conſider this as a *tax upon the juſtice, the property, and the commerce* of this country, as a fund for penſions, and a proviſion for that ſyſtem of venality improved by a late Viceroy, and the neceſſary ſequel of a plan which we muſt ever conſider with the utmoſt deteſtation.

Leinſter. *Irnham.* *Moleſworth.*
Caryſfort. *Mountmorres.*

We diſſent for the 1ſt, 2d, 3d, 4th, and 6th reaſons.

Charlemont. *Moira.*

To the PUBLIC.

AMong other great works now introduced at Mr Cox's Muſeum, is an immenſe Barometer, of ſo extraordinary a conſtruction, that by it the long-ſought-for, and in all likelihood the only perpetual motion that ever will be diſcovered, is obtained. The conſtant revolution of wheels moving in vertical, horizontal, and other directions, is not only phyſically produced, but the indication of time from an union of the philoſophic with the mechanic principles is effected. — Upon the dial, beſides a minute and an hour hand, is another hand dividing the minute into ſixty equal parts; theſe hands are motionleſs, till affixed to the primary motion, ſo that the motion of the time-piece (as Mr Cox in his deſcriptive inventory judiciouſly expreſſes it) is *originated, continued*, and *perfected*, by the philoſophic principle through which it is (ſolely) actuated.

The encouragement Mr Cox has for many years given to men of genius, and the perſeverance with which he has purſued the great line of utility, have not only given birth to productions that have aſtoniſhed all Europe, as well as the Eaſtern world, but have at laſt produced the wonderful machine above deſcribed. Several of the moſt eminent philoſophers and mathematicians in this kingdom, who have examined it attentively, are of opinion, that it will lead to farther improvements both in philoſophy and mechanics; and we hear that Mr Cox intends to devote a part of every week to the gratification of ſuch gentlemen in the ſcientific world as wiſh to be acquainted either with the conſtruction or the mode of operation, the principles of action, or the maſterly execution of ſo capital a performance. This article is, we are informed, one of the prizes, and the work of many years, during which time numberleſs ineffectual and expenſive trials were made, which perhaps would have damped any ardour but Mr Cox's, and probably have prevented the world from ever being benefited by ſo valuable a diſcovery.

" I have ſeen and examined the above-deſcribed clock, which is kept conſtantly going by the riſing and falling of the quickſilver in a moſt extraordinary barometer: and there is no danger of its ever failing to go; for there is always ſuch a quantity of moving power accumulated, as would keep the clock going for a year, even if the barometer ſhould be taken quite away from it. And indeed, on examining the whole contrivance and conſtruction, I muſt with truth ſay, that it is the moſt ingenious piece of mechaniſm I ever ſaw in my life.

JAMES FERGUSON,

Bolt-court, Fleet-ſtreet, Jan. 28."

Pro-

THE Commons reſolved themſelves into a committee on Eaſt-India affairs, May 3. Lord North opened the debate with a long ſpeech, which contained the ſubſtance of ſeveral motions; ſome of which were theſe, viz.

1. That the court of directors ſhould, in future, be elected for four years; ſix members annually; but none to hold their ſeats longer than for four years.

2. That no perſon ſhould vote at the election of the directors who had not poſſeſſed their ſtock twelve months; and, That the ſtock of qualification ſhould, inſtead of 500l. be 1000l.

3. That the mayor's court of Calcutta ſhould be for the future confined to ſmall mercantile cauſes, to which only its juriſdiction extended before the territorial acquiſition: That in lieu of this court, thus taken away, a new one be eſtabliſhed, conſiſting of a chief juſtice, and three puiſne judges: That theſe judges be appointed by the crown.

4. That a ſuperiority be given to the preſidency of Bengal, over the other preſidencies in India.

Upon the firſt propoſition, his Lordſhip remarked, that in the preſent ſtate of the company, the gentlemen of the direction were ſo cramped by the ſhortneſs of their term, that if they were willing to come into any permanent plan, they could not ſee it carried into execution, from the attention they are obliged to give to caballing for their re-election.

That in regard to the ſecond, he thought the term of ſix months too ſhort for a qualification to vote, as it did not preclude temporary purchaſes of ſtock, merely for an opportunity of voting: and that the qualification of 500l. was too ſmall a pittance of a fortune to intitle a man to vote for directors; for which reaſon, he thought that 1000l. would be more proper.

Reſpecting the contraction of the mayor's court, he obſerved, it was no more than reducing its juriſdiction to that circle to which it was accuſtomed before the great acquiſitions were made; that it was a court conſiſting of merchants and traders, and therefore evidently improper for the trial of thoſe many great and momentous matters which now muſt come before it; that for theſe reaſons the erection of a new judicature was abſolutely neceſſary; that the judges of that court ought certainly to be appointed by the King, not only as a matter of propriety, but to give a weight and conſequence to their deciſions.

With reſpect to the ſuperiority to be given to one preſidency over the reſt, it was only to concern general affairs, not matters of internal regulation: but at preſent it was a ſyſtem of confuſion; for it had been known, that one preſidency had been going to war with a country power, at the very time that another was concluding peace with the ſame power: A contradiction too glaring to be ſupported.

His Lordſhip further obſerved, a regulation would be neceſſary to oblige the company, whenever they received advices from the governor and council of Bengal, to communicate them immediately to the treaſury, or the ſecretaries of ſtate, that the public might know in what manner their affairs went on, and what neceſſities aroſe in Bengal.

He remarked, that although theſe regulations would go far towards a reformation, yet it was not to be expected that the work was to be done at once and over; on the contrary, that he believed Bengal would demand their attention annually; that a regular and fixed attention could alone anſwer the great demand there would be upon controuling power; but that he doubted not the Houſe would give it.

He noted the neceſſity of obliging the company's ſervants to ſend home all their fortunes in the ſhips of the company under heavy penalties; and touched upon the greatneſs of fortunes ſo quickly made in the Eaſt Indies, as to be miſchievous to the public good.

Lord North, May 18. preſented the bill for eſtabliſhing certain regulations for the better management of the Eaſt India company's affairs, prefaced in ſubſtance as follows.

"Mr Speaker, The interpoſition of parliament in the affairs of the Eaſt-India company, though it has occaſioned ſomething of a turn of proceedings in the general courts which I think unwarrantable, yet has met, Sir, with the approbation of all moderate, well-informed and conſiderate perſons. I have had the honour of propoſing a ſeries of reſolutions drawn up with a view of regulating the company's affairs in future: from the

these resolutions I have framed a bill, which I now desire the permission of the House to bring in. Since these matters have been under consideration, the right and motives of parliament have been strangely questioned in the whole business; much of which I apprehend has been owing to the jobbers in the alley: restraining the dividends in different periods, as it prevents the fatal effects of gambling in India stock, so it must certainly meet with all possible opposition from a set of men whose greatest profits are in proportion to the fluctuation of the stocks; whereas this bill is meant to prevent all fluctuation. The public has been much amused with projects for the company's raising the sum of a million and an half, without *accepting* what they before *applied* for to government. Sir, this demands two considerations: first, relative to the possibility of the company's fairly executing such a scheme, — while they are daily submitting themselves to pay great interest for their actual debts to government, on default of payment of customs and excises: we may easily conceive, that in any situation schemers and projectors will appear who can promise wonders upon paper, that are wild and impracticable; can the company suppose the legislature to be drawn aside from their important purpose by such idle imaginations? Next, Sir, I must suppose the case, — if the company does not find it expedient to borrow of government, can it possibly be supposed that *therefore* the interference of parliament in their affairs is to be dropped? Is this to be imagined? It is impossible, Sir, but the candid part of the company must be sensible, and acknowledge, that the right, duty, and propriety of the state, to interpose in this case, is essentially necessary to the well-being, nay to the existence of the company. It is upon these principles that I imagine the bill I now bring in will in all its parts be approved; as every article in it is framed with a view to grow the affairs of the company on a solid, clear, and decisive establishment."

The bill was read a first time, and ordered to be printed. — On the 2d of June it was read a second time, when it was proposed to consider it clause by clause; in consequence of which, the clause relative to the appointment of the governor and council became the subject of the day.

Mr Dempster moved, that the directors should have the nomination of the governor, &c. with a negative power in his Majesty; and if a second time the King should disapprove, and put a negative on their choice, that then his Majesty should be at liberty to appoint. This was moved as an amendment, and to be inserted by way of clause. After a long debate, and much altercation, the question was at last put for the amendment, and the House divided. Noes 161, Ayes 60: so the first appointment is vested in parliament; removeable, however, during the term of five years, by his Majesty.

The House, then, in a committee, went into the appointment of a chief justice, and three other judges, to hold a supreme court of judicature at Fort William; that they should be appointed and nominated by his Majesty; that they should be barristers of not less than five years standing; and that their salaries should be paid by the company; which salaries were proposed to be 6000l. a-year to the chief justice, and 3000l. a-year to each of the other three; the governor-general to have 25,000l. a-year, and the other four of the council 10,000l. each.

The House divided with regard to the appointment of the judges, whether it should be vested in his Majesty, his heirs, and successors, or in the company; and Mr Dempster moving to leave out the words "his Majesty, his heirs, and successors," it passed in the negative, 108 to 18: so the appointment of the judges remains vested in the crown.

The clause to prevent any person holding any civil or military employment under the crown from receiving or accepting any present or gift from any of the Indian princes, was taken into consideration, June 3.

Lord Clive observed, that such a restriction would be productive of great inconveniencies, particularly when any town was besieged; that, instead of entering it by capitulation, the army will be for storming, for the sake of the plunder; and proposed a discretionary power.

Gen. Conway supported that amendment.

Sir William Meredith opposed it, not without a retrospect to what had passed in the House with relation to his Lordship, who, he said, as the first and great example, ought to have been brought forth to the censure of the House; that if he had succeeded in that, other gentlemen,

tlemen, nearly as culpable as himſelf, were intended to have been the objects of parliamentary inquiry; but the Houſe having thought fit to let the great example eſcape, it would be needleſs to accuſe others of leſs guilt, and who were led on by the force of example only. The clauſe, as it ſtood, paſſed without a diviſion; — as did that relating to the reſtraining the company's ſervants from carrying on any inland trade.

A petition of ſeveral of the proprietors of the Eaſt-India company, poſſeſſed of 500l. ſtock, or more, but leſs than 1000l. was preſented to the Houſe June 8. and counſel heard againſt the clauſe whereby ſuch proprietors are to be deprived of the right of voting, agreeable to the terms of their charter.

Mr Lockhart Gordon and Mr Adair were deputed to ſpeak to the petition; which they did: but no reply was made.

Meſſ. Gordon and Adair were ordered to withdraw; and the following motion was made, and the queſtion put: "That it does not appear to this Houſe, that the proprietors of 500l. capital ſtock in the united company of merchants of England trading to the Eaſt Indies, have been guilty of any delinquency in the exerciſe of their charter-rights, according to the ſeveral acts of parliament made in that behalf." The previous queſtion was then put, Whether that queſtion ſhould be put, and it paſſed in the negative. Then Meſſ. Gordon and Adair were called in, and ſpoke for a conſiderable time; when, having again been ordered to withdraw, debates enſued, and continued for ſeveral hours; but at length the queſtion being put, That the clauſe aſcertaining the right of voting at 1000l. inſtead of 500l. ſtock, ſhould ſtand part of the bill? the Houſe divided, Ayes 123, Noes 43.

A ſecond diviſion was occaſioned by Mr Dempſter's propoſal in the clauſe relative to the appointing of the chief juſtice and judges, that they ſhould be nominated, *being barriſters of not leſs than five years ſtanding*, viz. to add, after the word *barriſters*, the words *or members of the faculty of advocates in Scotland*; to which Mr Whitworth moved, that the barriſters of Ireland might be included; and Dr Burrell, that the civil-law doctors in England might alſo be admitted, and joined with the Scots advocates in Mr Dempſter's motion. The whole of which being about to be put, Lord Folkſtone and Mr Whitworth deſired the queſtion might be divided, and the ſenſe of the Houſe taken ſeparately upon each. Accordingly, the firſt queſtion was put, upon adding the words *England and Ireland*, which paſſed in the affirmative, without a diviſion. The Speaker then put the other part of the queſtion, relative to the *advocates of Scotland*, together with Dr Burrell's addition of *the civil-law doctors in England*, upon which the Houſe divided, Whether thoſe words ſhould ſtand part of the clauſe? Noes 193, Ayes 6.

Several blanks were filled up before the laſt diviſion, and the names of the governors and council inſerted. After Warren Haſtings, Eſq; (the preſent governor) had been inſerted as governor-general, Lt-Gen. John Clavering was propoſed as a counſellor; but an amendment was offered, and Lt-Gen. Monckton propoſed in his room; upon which the Houſe divided, Ayes 60, Noes 115. Then the names of the four counſellors were inſerted in the bill, viz. Lt-Gen. John Clavering, Hon. John Monſon, Richard Barwell, Eſq; (one of the preſent council at Calcutta), and Philip Francis, Eſq. The bill was, at length, ordered to be ingroſſed; and it paſſed both houſes, as formerly [xxxv. 624.] related. — A petition of the Eaſt-India company againſt paſſing it was preſented to the Lords, and counſel heard in ſupport of the petition, unſucceſsfully; and thirteen Lords entered a proteſt, which is already inſerted. [xxxv. 683.]

Having now gone through the moſt remarkable affairs of laſt ſeſſion, which did not riſe till the 1ſt of July, we conclude them with the ſubſtance of two ſpeeches made by Lord Clive; whoſe conduct having undergone a minute inveſtigation, impartiality requires that his defence ſhould be inſerted.

Lord Clive got up, May 3. [xxxv. 622.], and ſolicited the indulgence of the Houſe to a few facts which had been partially ſtated; and as he was pleading for what was dearer to him than life, his reputation, he hoped the committee would patiently hear him. He then went through one of the reports of the ſecret committee, and quoted thoſe different paſſages which concerned him. His Lordſhip was very particular in examining the report; and in anſwer to thoſe different paſſages which accuſed him of appropriating part of the revenues of Bengal, he read extracts of the No-

bob's letter to him as preſident of the ſelect committee, of the committee's letter to the directors, and finally the directors letter of approbation to him. His Lordſhip afterwards obſerved, that trained in a ſchool of war and politics, as he had been for twenty years, he was now in the ſchool of philoſophy; and if patience was a virtue, he had no doubt of being very virtuous indeed. He enlarged very fully on the miſconduct of the directors; and after arraigning in the ſevereſt terms the unpardonable remiſſneſs of former adminiſtrations, in neglecting the affairs of the India company, he declared that the miſmanagement abroad was founded upon miſmanagement at home. He then entered very particularly into the malevolence and artifice of his enemies; and to prove the zeal with which one of them attacked him, he read part of a converſation between the late deputy-chairman and one of the firſt clerks in the India-houſe, in which the late deputy-chairman [Sir George Colebrooke] ſays theſe remarkable words, "I want to mark the man," (meaning his Lordſhip). Lord Clive proceeded to exculpate himſelf; and declared he went out to India the laſt time, promiſing not to add a ſhilling to his fortune, either directly or indirectly; and which he declared to God he had religiouſly obeyed.

His Lordſhip ironically complimented the vaſt extent of abilities of Lord North, in limiting the continuance of the territorial acquiſitions in the company's poſſeſſion for ſix years. He ſaid he might call his Lordſhip the lion of government, and the India company the jackall, or lion's provider; that he had already ſeized upon three quarters, and no doubt, but when the lion had been out hunting, and was returning hungry, that the remaining quarter would be ſeized alſo; that he ſtood there as an independent man, ready to give government every honourable aſſiſtance; that that he would do, and farther would not be expected of him, with reſpect to the Eaſt-India company; that he lamented their ſituation; that they had long been tampered with by quacks, even till they were reduced to an abſolute conſumption, and had thrown themſelves upon parliament as the only and true phyſician that could effect a cure.

His Lordſhip remarked, that for theſe two years paſt the directors, either through ignorance or deſign, had kept the affairs of the company a ſecret; that they had rioted at taverns, diſſolved in diſſipation and luxury, and had veniſon, turtle, and other choice viands in and out of ſeaſon, with burgundy, claret, and old hock; that they entirely neglected their duty, and employed a man to think for them, (Mr Wilks), to whom they allowed 400l per ann.; and that many of their orders were ſo abſurd and contradictory, that their own ſervants were almoſt juſtified in refuſing obedience to them. — I left (continued his Lordſhip) India in January 1766, in profound peace, and in which it was likely to remain. The expence of the military at that time, though heavy, was nothing equal to what it is now: I expected it would, inſtead of increaſing, have been reduced. Much virulence and malevolence has been employed againſt me; and it is with real concern I find myſelf reduced to the ſad neceſſity of being the herald of my own fame. I have ſerved my country and that company faithfully; and had I been employed by the crown, I ſhould not have been in the ſituation I am in at preſent; I ſhould have been differently rewarded; no retroſpect would have been had to ſixteen years paſt, and I ſhould not have been forced to plead for what is dearer than life, my reputation. My ſituation, Sir, has not been an eaſy one for theſe twelve months paſt; and though my conſcience never could accuſe me, yet I felt for my friends, who were involved in the ſame cenſure as myſelf. Sir, not a ſtone has been left unturned, where the leaſt probability could ariſe of diſcovering ſomething of a criminal nature againſt me. The two committees, Sir, ſeem to have bent the whole of their inquiries to the conduct of their humble ſervant the Baron of Plaſſey; and I have been examined by the ſelect committee more like a ſheep-ſtealer than a member of this Houſe. I am ſure, Sir, if I had any ſore places about me, they would have been found; they have probed to the bottom; no lenient plaiſters have been applied to heal: no, Sir, they were all of the bliſter-kind, prepared with Spaniſh flies, and other provocatives. The public records have been ranſacked for proofs againſt me; and the late deputy-chairman of the India company, a worthy member of this Houſe, has been very aſſiduous indeed; — ſo aſſiduous in my affairs, that really,

Sir, it appears he has entirely neglected his own [xxxv. 266.]. As the heads upon Temple Bar have tumbled down, and no probability of their being replaced, (for Jacobitiſm ſeems at an end, at leaſt there has been great alteration in mens ſentiments within theſe ten years), I would propoſe, Sir, that my head, by way of pre-eminence, be put upon the middle pole; and his Majeſty having given me theſe honours, it is proper they ſhould be ſupported: what think you then of my having the late chairman and deputy on each ſide?

I will now, Sir, ſay a word to the propoſed regulations of the Noble Lord.— I agree with him, Sir, that the annual direction has been in a great meaſure the cauſe of the great diſtreſs of the India company; and I alſo agree, that every proprietor ſhould poſſeſs 1000l. ſtock, and be in poſſeſſion twelve months before he can be qualified to vote. — His Lordſhip then expatiated on the great temptation in India; that the country had been governed by a ſet of boys, and numberleſs abuſes had been committed; that with reſpect to the mottut, he never heard of it until laſt ſummer, when he was in Shropſhire; but though a ſum of 5000l. was of little moment where the receipts amounted to four or five millions, yet great abuſes had been made of it; that as to jaghires, they are as commonly given by the princes in that country, as penſions, lottery-tickets, and other douceurs, were by the miniſter in this.

On the 19th of May his Lordſhip made the following ſpeech.

" After rendering my country the ſervices which I think I may, without any degree of vanity, claim the merit of; and after having nearly exhauſted a life full of employment for the public welfare, and for the particular and advantageous emolument of the Eaſt-India company; I little thought tranſactions of this kind would have agitated the minds of my countrymen in ſuch proceedings as theſe, tending to deprive me, not only of my property, and the fortune which I have fairly acquired, but of that which I hold more dear to me, — my honour, and my reputation.

The Houſe will not think me, I hope, fraught with any degree of vanity, when I repeat again that I have done ſervices to my country. I muſt now beg leave to ſay a few words relative to the preſents which I am charged with receiving unwarrantably. I muſt beg leave to obſerve to the Houſe, that preſents were allowed and received from the earlieſt time of the direction. They have continued to be received uninterruptedly for the ſpace of 150 years; and men, Sir, who have ſat in the direction themſelves, have at ſeveral times received preſents. This the direction muſt know. But I am firmly of opinion, that, in honourable caſes, preſents are not improper to be received: but when for diſhonourable purpoſes, then, Sir, I hold them to be highly improper. In the early part of my life, my labours were without emolument or laurels, and I hope the Houſe cannot think but that I ought to be rewarded for my ſervices to my country in the latter part of it. When I was employed by the company, their affairs abroad were in a condition much to be lamented. Misfortunes attended them in every part of their ſettlements, and the Nabobs looked with a jealous eye upon the ſmall privileges and poſſeſſions they then enjoyed; and tho' ſmall, in danger every day of being wreſted from them. Fear, and weakneſs of power, fought for protection from the dangers that ſurrounded them. In this critical ſituation I was called forth, and it pleaſed God to make me the inſtrument of their delivery. In the various battles and attacks in which I was employed, I had the good fortune to ſucceed; nor were ſuch ſchemes or undertakings entered upon without the previous provocation of the country-powers. The treachery of Surajah Dowla was for ever in our eye, and his perfidy was never at reſt; nor did we attack Chandernagore till the treaty on his behalf was firſt violated. After theſe conqueſts, Sir, and acquiſitions, gained for the company, I returned home. They approved, in the higheſt degree, of what I had done; and as a token of their approbation, they preſented me with a rich ſword ſet with diamonds. This certainly, Sir, was no mark of their opinion that I had either violated treaties, or diſobeyed their orders.

Nor did their commendation and good opinion of my ſervices terminate here. As ſoon as troubles broke out in that country, and when the news of the terrible diſaſter of the taking of Calcutta from us arrived to the ear of the company, they immediately ſent to me, and requeſted that I would go once more to India

India to protect and ſecure their poſſeſſions; — that my preſence would alone effect it; and they ſhould reſt ſecured, through the good opinion they had of me, that ſucceſs would accompany me; and that I ſhould be the means of putting their affairs again in a proſperous ſituation. I did not heſitate a moment to accept the offer. I went abroad, reſolving not to benefit myſelf one ſingle ſhilling at my return; and I ſtrictly and religiouſly adhered to it. When I arrived there, I ſubdued Angria, a very powerful prince. I retook Calcutta with an inconſiderable army. Surajah Dowla had at all times betrayed a diſpoſition to break the treaty; and when an army was ſent under the command of Monſ. Ducrée, which might have proved fatal to us, I do not heſitate to ſay, that we bribed the General of that army; who immediately wrote to the Nabob, to let him know the Engliſh were invincible; and upon a ſecond requeſt from the Nabob to Monſ. Ducrée, that he would march with his army, and deſtroy the Engliſh, his anſwer was couched in the ſame terms. He ſaid, that he always found the Engliſh invincible, and it would have been the height of imprudence to hazard an attack. By ſuch means, and by this ſtratagem, we ſucceeded.

We ſoon diſcovered that the Nabob, Surajah Dowla, was ſo turbulent and reſtleſs, that he only waited for the departure of the fleet to demoliſh the Engliſh. But as treacherous men are too apt to have men of the ſame caſt and diſpoſition about them, the Nabob was not wanting of ſuch companions. One Omichund, his confidential ſervant as he thought, told his maſter of an agreement made between the Engliſh and Monſ. Ducrée, to attack him, and received for that advice a ſum no leſs than four lack of rupees. Finding this man to be the confidential ſervant, in whom the Nabob entirely truſted, it ſoon became our object to conſider him as a moſt material engine in the intended revolution. We therefore made ſuch an agreement as was neceſſary for the purpoſe, and entered into a treaty with him to ſatisfy his demands. When all things were prepared, and the evening of the event was appointed, Omichund informed Mr Watts, who was at the court of the Nabob, that he inſiſted upon thirty lack of rupees, and five per cent. upon all the treaſure that was found; that unleſs that was immediately complied with, he would diſcloſe the whole to the Nabob; and that Mr Watts, and two other Engliſh gentlemen then at the court, ſhould be cut off before the morrow. Mr Watts, immediately on this information, diſpatched an expreſs to me at the council. I did not heſitate to find out a ſtratagem to ſave the lives of theſe people, and ſecure ſucceſs to the intended event. For this purpoſe we ſigned another treaty. The one was called the *Red*, the other the *White* treaty. This treaty was ſigned by every one except Adm. Watſon; and I ſhould have conſidered myſelf ſufficiently authoriſed to have put his name to it, by the converſation I had with him. As to the perſon who ſigned Adm. Watſon's name to the treaty, whether he did it in his preſence or not, I cannot ſay; but this I know, that he thought he had ſufficient authority for ſo doing. This treaty was immediately ſent to Omichund, who did not ſuſpect the ſtratagem. This event took place, and ſucceſs attended it; — and the Houſe, I am fully perſuaded, will agree with me, that when the very exiſtence of the company was at ſtake, and the lives of theſe people ſo precarioufly ſituated, and ſo certain of being deſtroyed, that it was a matter of true policy and of juſtice to deceive ſo great a villain. I have in my hand, Sir, a letter ſigned by Adm. Watſon, Meſſ. Manningham, Watts, &c. which I apprehend will carry Adm. Watſon's thorough approbation of the proceedings of the revolution, and of the means by which it was obtained. [His Lordſhip then read the letter, which conveyed Adm. Watſon's full approbation.]

Now, Sir, great as my fortune is, (and which bears no proportion to what I might have made), yet to ſhew that I did not haraſs, or lay under contribution, thoſe whom I had conquered, for my own emolument, I can tell this Houſe, that neither I, nor any one in my army, received a ſixpence from the inhabitants of Muxadabad. My jaghire was not received till 1759, though it has been reported I received it at the revolution in 1757.

I muſt beg leave to mention another circumſtance to the Houſe, That upon theſe troubles, the Dutch were encouraged by the Nabob to enter the country with ſeven ſhips, and a vaſt army. I did not heſitate a moment to give them

battle, and in twenty-four hours I deſtroyed every ſhip they had, and their whole army was either killed, wounded, or taken priſoners. At this time the Dutch had moſt of my money, and in this inſtance I think I ſhewed a zeal for the honour and intereſt of the company ſuperior to every other object, even of my own concern.

I muſt now beg leave to read to the Houſe two letters from the court of directors to myſelf, containing their approbation of the revolution in Bengal. Theſe letters, Sir, came not through the common channel of addreſs to the Governor and Council, but were directed to myſelf. [His Lordſhip then read the letters, which contained indeed the moſt full and ſatisfactory approbation of what is termed in one of the letters *the late glorious and profitable revolution.*] — Theſe, Sir, are ſurely ſufficient certificates of my behaviour, and of the proceedings of that revolution; and whatever the Houſe may think of them, will remain an everlaſting approbation of my conduct from thoſe perſons who alone employed me, and whoſe ſervant I was. Nay, Sir, there are even thoſe in the grave, who, if they were alive, would teſtify of my ſervices. A late miniſter, (Lord Chatham), whoſe abilities have been an honour to his country, and whom this Houſe will ever revere, will, I am ſure, come to your bar, and not only tell you how highly he thought of my ſervices at the time, but alſo what his opinion is now. I am, however, ſure, that I ſhall have juſtice done me by the inquiry of thoſe men who are likely to be appointed to go to India to regulate the affairs of that country. Then, Sir, may come from that part of the world, a full juſtification of my conduct. Here I muſt beg leave to read a part of my late ſpeech. [Here his Lordſhip read a part of the letter and of his ſpeech made March 30. 1772, [xxxiv. 197.], ſtating the acquiſitions he had obtained for the company and the public.] — After theſe ſervices, I thought at leaſt I might have enjoyed my fortune uninterrupted, and unenvied by thoſe not ſo rich as myſelf. [Here his Lordſhip read another letter from the company, which contained in a ſtronger manner than any of the preceding ones, a full and ample commendation and approbation of all his proceedings. This letter was directed to his Lordſhip, and dated March 4. 1767.]

Upon my arrival, Sir, in England, a ſecond time, a committee of the directors waited upon me, to deſire to know when I would receive the congratulations of the direction. I accordingly waited upon them at their court in Leadenhall-ſtreet, and the chairman, at a very full court, addreſſed me in the words contained in this letter, [which his Lordſhip read.] Theſe, Sir, were circumſtances certainly that gave me a full ſatisfaction, and a ground to think that my conduct, in every inſtance, was approved of. — After ſuch certificates as theſe, Sir, am I to be brought here like a criminal, and the very beſt parts of my conduct conſtrued into crimes againſt the ſtate? Is this the reward that is now held out to perſons who have performed ſuch important ſervices to their country? If it is, Sir, the future conſequences that will attend the execution of any important truſt, committed to the perſons who have the care of it, will be fatal indeed; and I am ſure the Noble Lord upon the treaſury-bench, whoſe great humanity and abilities I revere, would never have conſented to the reſolutions that paſſed the other night, if he had thought on the dreadful conſequences that would attend them. Sir, I cannot ſay that I either ſit or reſt eaſy when I find by that extenſive reſolution, that all I have in the world is confiſcated, and that no one will take my ſecurity for a ſhilling. Theſe, Sir, are dreadful apprehenſions to remain under, and I cannot look upon myſelf but as a bankrupt. Nothing my own, and totally unable to give any ſecurity, while theſe reſolutions are pending. Such, Sir, is the ſituation I am in. I have not any thing left which I can call my own, except my paternal fortune, of 500 l. per ann. and which has been in the family for ages paſt. But upon this I am content to live; and perhaps I ſhall find more real content of mind and happineſs than in the trembling affluence of an unſettled fortune. But, Sir, I muſt make one more obſervation, That if the definition of the Hon. Gentleman, (Gen. Burgoyne), and of this Houſe, is, that the ſtate, as expreſſed in theſe reſolutions, is, *quoad hoc*, the company, then, Sir, every farthing that I enjoy is granted to me. But to be called, after ſixteen years have elapſed, to account for my conduct in this manner, and after an uninterrupted enjoyment of my property, to have been queſtion'd and

and conſidered as obtaining it unwarrantably, is hard indeed! and a treatment I ſhould not think the Britiſh ſenate capable of. But if it ſhould be the caſe, I have a conſcious innocence within me that tells me my conduct is irreproachable. *Frangas non flectes.* They may take from me what I have; they may, as they think, make me poor; but I will be happy!

I mean not this as my defence, though I have done for the preſent. My defence will be made at the bar; and before I ſit down, I have one requeſt to make to the Houſe, That when they come to decide upon my honour, they will not forget their own.

Henry's Hiſtory of Great Britain. [21.]

Book 2. *ch.* 3. § 3. *Matrimonial laws.*

EXTRACTS.

The laws of our Anglo-Saxon anceſtors, and of all the northern nations, relating to the matrimonial union of the ſexes, were in ſome reſpects curious. The great fundamental law, ſo clearly pointed out by nature, of the union of one man and one woman, was firmly eſtabliſhed among all theſe nations in very ancient times; but the manner of forming this union, and the rights of the contracting parties, were a little ſingular. Though all theſe nations treated the ſex with the moſt reſpectful attention, yet they conſidered every woman as under the protection or guardianſhip of ſome man or other during her whole life; without whoſe conſent ſhe could not execute any legal deed. Whether this was a proper teſtimony of their regard for the weaker ſex, may be juſtly queſtioned; but the fact is undeniable. This protection, or guardianſhip, was called, in the Saxon language, *mund;* and the perſon who had a right to it, *mundbora*, who could not be deprived of this right without his own conſent, obtained by a proper conſideration. The father was the natural and legal guardian of his unmarried daughters;—the brothers, after the father's death, of their unmarried ſiſters;—the neareſt male relation, of thoſe who had neither fathers nor brothers;—the male-heir of the huſband was the guardian of the widow;—and the King was the legal guardian and protector of all thoſe women who had no other. When a young man therefore propoſed to make his addreſſes to a lady, one of the firſt ſteps he took, was to procure the conſent of her mundbora or guardian, by making him ſome preſent ſuitable to his rank and that of the lady. This preſent was called the *mede* or *price*, and, in the barbarous Latin of the middle ages, *metha* or *methum;* which gave occaſion to its being ſaid, that in thoſe times men bought their wives. If any man was ſo raſh as to marry a woman without the conſent of her guardian, he not only incurred the ſevere penalties inflicted on thoſe who were guilty of the crime of mundbreach, as it was called, but he obtained no legal authority over his wife, or any of her goods, by ſuch a marriage; that authority ſtill remaining in the guardian, who could not be diveſted of it without his own conſent. Nay, ſo far was this idea carried, that if a woman who had been married without the conſent of her guardian, was debauched, the damages recovered were not paid to her huſband, but to her guardian. To reſtrain avaricious guardians from demanding, and amorous youths from offering, too great preſents, for obtaining their conſent, laws were made to limit the utmoſt extent of them, for people of all ranks. When a man made his addreſſes to a widow, he was obliged to pay no more than one half of the limited price for the conſent of her guardian, as a widow was eſtimated at no more than half the value of a maiden of the ſame rank. As ſoon as the lover had obtained the conſent of his miſtreſs, and of her guardian, the parties were ſolemnly contracted, and one of the bridegroom's friends became ſurety to the woman's guardian, that ſhe ſhould be treated well, and maintained in a manner ſuitable to her ſtation. In this contract, the dowry which the huſband ſettled upon his wife was fixed and aſcertained: of which ſhe was to enjoy the uſufruct, and, in ſome caſes, the property, if ſhe proved the ſurvivor. With reſpect to the proportion of this dowry, the laws of the Anglo-Saxons were more favourable to the ſex than thoſe of any other of the northern nations. It was a cuſtom as inviolably obſerved as the moſt poſitive law, that all the friends and relations of both parties, within the third degree, were invited to the marriage feaſt, and that all who were invited made a preſent of ſome kind or other to the bride and bridegroom. The father, brother, or guardian of the bride, in particular, made a conſiderable

conſiderable preſent in furniture, arms, cattle, and money, according to the circumſtances of the family; which was called *faderfium*, *(father-gift)*, and was all the fortune the huſband received with his wife. No marriage could be lawfully celebrated without the preſence of the woman's guardian, who ſolemnized the marriage, by delivering the bride to the bridegroom with words to this purpoſe: "I give thee my daughter, (ſiſter, or relation), to be thy honour and thy wife, to keep thy keys, and to ſhare with thee in thy bed and goods. In the name of the Father, Son, and Holy Ghoſt." After which, the prieſt pronounced the nuptial benediction. Though the bridegroom had already been at much expence in procuring the conſent of the guardian, and ſettling a dowry on his wife, he was obliged, both by law and cuſtom, to make her a valuable preſent on the firſt morning of her marriage, before he aroſe from bed, as a teſtimony of his entire ſatisfaction. This, which was called the *morgengifu*, or *morning-gift*, was the pin-money of antiquity, and became the ſeparate property of the wife, with which the huſband had no concern. It was found by experience, that ſome ladies, by their ſuperior charms, or ſuperior art, prevailed upon their huſbands, in theſe critical circumſtances, to make very extravagant morning-gifts; which produced poſitive laws in almoſt every country of Europe, reſtraining them within certain limits, in proportion to his eſtate.

Puniſhments of the three great perſonal injuries, of wounding, of killing, and of violating the chaſtity of the fair ſex.

Wounding. By the laws of the Anglo-Saxons, and of all the other nations of Europe, in the middle ages, certain prices were ſet upon all the members of the human body, and upon bruiſes, maims, and wounds, in every part of it, according to their breadth, length, and depth, with a degree of accuracy and minuteneſs that is truly ſurpriſing. Theſe prices of the ſeveral parts of the body, and of their wounds, maims, and bruiſes, were formed into a kind of book of rates, which every judge was obliged to get by heart before he could be admitted to ſit in judgement. When any perſon was convicted of having wounded another, the judge declared out of the doom-book, the price of a wound of ſuch dimenſions, in ſuch a part of the body; and this the criminal was obliged to pay to the perſon wounded; and by a law of Kind Edmund it was declared, that no abatement could be made. If a phyſician was called, the criminal was alſo obliged to pay for the medicines, and for the maintenance both of the doctor and the patient till the cure was completed. This was a moſt unreaſonable ſyſtem of laws, and gave the rich a great advantage over the poor, which no doubt they frequently abuſed.

Murder. The laws of the Anglo-Saxons againſt killing or murder were ſtill more unreaſonable; becauſe they attempted to make reparation for an injury which to the perſon who ſuffered it was irreparable. By theſe laws a certain price or value was ſet upon every man's life, from the ſovereign to the ſlave, according to his rank; and whoever killed any man was obliged to pay the price which the laws had ſet upon the life of a perſon of that rank. This price was called a man's *were*, or *weregyld*, from *were*, (a man), and *gyldan*, (to yield or pay), and made a capital article in the doom-book. Theſe laws not only fixed the quantity of every man's *were*, but alſo directed to whom, and in what proportions, it ſhould be paid. The King's weregeld, for example, was 240 pound, equal in quantity of ſilver to about 720l. and in real value to 7200l. of our money: which was to be divided into two equal parts; the one of which was to be paid to the family of the murdered prince, as a compenſation for the loſs of their relation; and the other was to be paid to the public, for the loſs of their ſovereign. The *were* of ſubjects of all ranks above ſlaves was paid, one half to the King, for the loſs of his ſubject, and the breach of his peace; and the other half to the family of the murdered perſon, for the loſs of their relation, and to extinguiſh their reſentment againſt the murderer: the former of which was called the *frith-bote*, from *frith*, (peace), and *bote*, (compenſation); and the latter *mæg-bote*, from *mæg*, (kindred), and *bote*. When a freeman killed his own ſlave, he had nothing to pay but a ſmall mulct to the King for breach of the peace; but when he killed the ſlave of another perſon, beſides this mulct to the King, he was obliged to pay the value of the ſlave to his owner, which was called *man-bote*, or *man's price*. If a ſlave killed a freeman, the owner of the ſlave was obliged to pay both the frith-

frith-bote to the King, and the mæg-bote to the family of the murdered person, or to put the murderer into their hands. When a slave killed his own master, he was put to death; because, having no goods, and no family, he could make no compensation: when he killed one of his fellow-slaves, his master might punish him as he pleased.

As all the near relations of a murdered person received a share of his mæg-bote; so they contributed also their share to the payment of these mulcts for any of their relations who were guilty of murder; which greatly diminished the terror even of these penalties. King Edmund, who reigned from A. D. 940 to A. D. 946, being very desirous of giving some check to the frequent murders occasioned by the unreasonable lenity of these laws, particularly of the last, procured a law to be made, that from thenceforth the murderer himself should be the only object of the resentment of the injured family; and that his relations should not be obliged to pay any share of the penalties. But though this was an amendment, it was not sufficient to produce the desired effect; and therefore it was found necessary to depart from a maxim that had been too long established in the jurisprudence of the middle ages, "That there was no crime that might not be expiated with money;" and to declare some crimes, and particularly some kinds of murder, inexpiable. By a law of King Ethelred, A. D. 1008, a murder committed within the walls of a church is declared to be inexpiable, without the special permission of the King; and when the King granted this permission, (which was probably too often), the criminal was obliged to pay a mulct to the church for the violation of its protection, besides the frith-bote to the King, and the mæg-bote to the family. Upon the whole, it is sufficiently evident, that the penal laws of the Anglo-Saxons against murder were the same in substance with those of their German ancestors; among whom murder was compensated by the payment of a certain number of cattle; of which the whole family received a share. It is no less evident, that these laws were unreasonably gentle, and very ill calculated to prevent the commission of this horrid crime among a fierce people, who had arms continually in their hands.

Violating the honour of the fair sex. As the fair sex are naturally weaker than men, and are exposed to injuries of a peculiar kind, so their persons and their honour have been protected in all civilized countries by particular laws.—This is not the proper place to speak of those violations of chastity to which the woman was consenting; because being equally guilty, she was equally punished with the other party. Only it may not be improper to observe, that the laws of the Anglo-Saxons, like those of their German ancestors, against adultresses, were very severe. By an ordinance of King Canute, an adultress, besides being declared infamous for life, and forfeiting all her goods, was condemned to have her nose and lips cut off, that she might no longer be an object of criminal desires.—The English laws of this period inflicted certain pecuniary penalties on those who were guilty of any attempts against the virtue and honour of the sex, from the slightest indecency to the rudest violence; and these penalties were greater or smaller according to the rank of the injured party. The compensation for a rape committed upon a nun, was as high as for murder, besides the deprivation of Christian burial; but one committed on a person of immature age, subjected the criminal to a mutilation which effectually prevented the repetition of the crime. The chastity of the sex was guarded with great anxiety and care by the ancient laws of Wales.

Penalties were also inflicted by the Anglo-Saxon laws on those who were guilty of several other crimes, which do not fall directly under any of the three preceding heads; as idolatry, sorcery, witchcraft, perjury, forgery, coining, and high treason against the whole people, &c. But these penalties were likewise, for the most part, pecuniary: only coiners of base money were condemned to lose their right hands; and traitors against the whole nation were to be put to death, because no compensation could be made to a whole people for so great an injury. In a word, the compensation of injuries, rather than the punishment of crimes, seems to have been the great object of the penal laws of the Anglo-Saxons, and of all the other nations of Europe, in the middle ages; which is the true reason that pecuniary punishments were so frequent, and corporal and capital punishments so uncommon, in those ages.

Sketches of the History of Man. [*By Lord Kames.*] 2 *vols* 4*to.* 1 *l.* 18 *s. in boards.* Creech, Edinburgh; Strahan, and Cadell, London. Printed at Edinburgh.

THIS work is divided into three books. Each book is divided into several sketches; and some of these are subdivided into sections, &c.—We insert the preface, the contents, and extracts.

PREFACE.

THE following work is the substance of various speculations, that occasionally amused the author, and enlivened his leisure-hours. It is not intended for the learned; they are above it: nor for the vulgar; they are below it. It is intended for men, who, equally removed from the corruption of opulence, and from the depression of bodily labour, are bent on useful knowledge; who, even in the delirium of youth, feel the dawn of patriotism, and who in riper years enjoy its meridian warmth. To such men this work is dedicated; and that they may profit by it, is the author's ardent wish, and probably will be while any spirit remains in him to form a wish.

May not he hope, that this work, child of his gray hairs, will survive, and bear testimony for him to good men, that even a laborious calling, which left him not many leisure-hours, never banished from his mind, that he would little deserve to be of the human species, were he indifferent about his fellow-creatures:

Homo sum: humani nihil a me alienum puto.

Most of the subjects handled in the following sheets, admit but of probable reasoning; which is not a little slippery, as with respect to many reasonings of that kind, it is difficult to pronounce, what degree of conviction they ought to produce. It is easy to form plausible arguments; but to form such as will stand the test of time, is not always easy. I could amuse the reader with numerous examples of conjectural arguments, which, fair at a distant view, vanish like a cloud on a near approach. In the first sketch of this book, not to go farther, he will find recorded more than one example. The dread of being misled by such arguments, filled the author with anxiety; and after his utmost attention, he can but faintly hope, that he has not often wandered far from truth.

Above thirty years ago, he began to collect materials for a natural history of man; and in the vigour of youth, did not think the undertaking too bold, even for a single hand. He has discovered of late, that his utmost abilities are scarce sufficient for executing a few imperfect sketches.

Edinburgh, Feb. 23. 1774.

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II. Progress of men in society.—1. Appetite for society. Origin of national societies. 2. General view of government. 3. Different forms of government compared. 4. Progress of states from small to great, and from great to small. 5. Great and small states compared. 6. War and peace compared. 7. Rise and fall of patriotism. 8. Finances. 9. Military branch of government. 10. Public police with respect to the poor. 11. A great city considered in physical, moral, and political views. 12. Origin and progress of American nations.

III. Progress of sciences.—1. Principles and progress of reason: including a brief account of Aristotle's logic, with remarks; by Dr Reid. 2. Principles and progress of morality. 3. Principles and progress of theology.

APPENDIX. Sketches concerning Scotland. 1. Entails. 2. Royal Boroughs. 3. Highways.

EXTRACTS.

THE sketch, intitled, *Finances*, is subdivided into seven sections: 1. General considerations on taxes; 2. Power of imposing taxes; 3. Different sorts of taxes, with their advantages and disadvantages; 4. Manner of levying taxes; 5. Rules to be observed in taxing; 6. Examination of British taxes; 7. Regulations for advancing industry and commerce.

§ 2. *Power*

§ 2. *Power of impoſing taxes.*

THAT to impoſe taxes belongs to the ſovereign, and to him only, is undoubted. But it has been doubted, whether even king and parliament, who poſſeſs the ſovereign authority in Britain, can legally impoſe a tax without conſent of the people. The celebrated Locke, in his eſſay on government, ch. 11. § 140. lays down the following propoſition as fundamental. "'Tis true, governments cannot be ſupported without great charge, and 'tis fit, every one who enjoys his ſhare of protection, ſhould pay out of his eſtate his proportion for the maintenance of it. But ſtill it muſt be with his own conſent, *i. e.* the conſent of the majority, giving it either by themſelves, or their repreſentatives choſen by them: for if any one ſhall claim a power to lay and levy taxes on the people by his own authority, and without ſuch conſent of the people, he thereby invades the fundamental law of property, and ſubverts the end of government; for what property have I in that which another may by right take when he pleaſes to himſelf?" No author has reflected more honour on his native country, and on mankind, than Mr Locke. Yet no name is above truth; and I am obliged to obſerve, tho' with regret, that in the foregoing reaſoning the right of impoſing taxes is laid upon a very crazy foundation. It may indeed be ſaid with ſome colour, that the freeholders virtually impower their repreſentatives to tax them. But their vaſſals and tenants, who have no vote in electing members of parliament, empower none to tax them; yet they are taxed like others: and ſo are the vaſſals and tenants of peers. Add to theſe an immenſe number of artiſans, manufacturers, day-labourers, domeſtics, &c. &c. with the whole female ſex: and it will appear on calculation, that thoſe who are repreſented in parliament make not the hundredth part of the taxable people. But further, it is acknowledged by our author, that the majority of the Lords and Commons muſt bind the minority. This circumſtance alone might have convinced him of his error: for ſurely the minority in this caſe are bound without their conſent; nay, againſt their conſent. That a ſtate cannot tax its ſubjects without their conſent, is a raſh propoſition, totally ſubverſive of government. Locke himſelf has ſuggeſted the ſolid foundation of taxes, tho' inadvertently he lays no weight on it. I borrow his own words: "That every one who enjoys his ſhare of protection, ſhould pay out of his eſtate his proportion for the maintenance of the government." The duties of ſovereign and of ſubject are reciprocal; and common juſtice requires, that a ſubject, or any perſon who is protected by a government, ought to pay for that protection. Similar inſtances without number of ſuch reciprocal duties occur in the laws of every civilized nation. A man calls for meat and drink in a tavern: is he not bound to pay the bill, tho' he made no agreement beforehand? A man is wafted over a river in a ferry-boat: muſt he not pay the common fare, though he made no promiſe? Nay, it is every man's intereſt to pay for protection: government cannot ſubſiſt without a public fund; and what will become of individuals when no longer protected, either in their perſons or goods? Thus taxes are implied in the very nature of government; and the interpoſition of ſovereign authority is only neceſſary for determining the expediency of a tax; and the quota, if found expedient.

Many writers, miſled by the reſpectable authority of Locke, boldly maintain, that a Britiſh parliament cannot legally tax the American colonies, who are not repreſented in parliament. This propoſition, which has drawn the attention of the public of late years, has led me to be more explicit on the power of impoſing taxes, than otherwiſe would be neceſſary. Thoſe who favour the independence of our colonies urge, "That a man ought to have the diſpoſal of what he acquires by honeſt induſtry, ſubject to no control: whence the neceſſity of a parliament for impoſing taxes, where every individual is either perſonally preſent, or by a repreſentative of his own election. The aid accordingly given to a Britiſh ſovereign is not a tribute, but a free and voluntary gift." What is ſaid above will bring the diſpute within a very narrow compaſs. If our coloniſts be Britiſh ſubjects, which hitherto has not been controverted, they are ſubjected to the Britiſh legiſlature in every article of government; and as from the beginning they have been protected by Britain, they ought like other ſubjects to pay for that protection. There never was a time leſs favourable to their claim of freedom from taxes, than the cloſe of the late war with France. Had not Britain ſeaſonably in-

terpoſed, they would have been ſwallowed up by France, and become ſlaves to deſpotiſm.

If it be queſtioned, By what acts is a man underſtood to claim protection of a government? I anſwer, By ſetting his foot on the territory. If, upon landing at Dover, a foreigner be robbed, the law interpoſes for him as for a native. And as he is thus protected, he pays for protection when he purchaſes a pair of ſhoes, or a bottle of beer. The caſe is clear with reſpect to a man who can chuſe the place of his reſidence. But what ſhall be ſaid of children, who are not capable of choice, nor of conſent? They are protected; and protection implies the reciprocal duty of paying taxes. As ſoon as a young man is capable of acting for himſelf, he is at liberty to chuſe other protectors, if thoſe who have hitherto protected him be not agreeable.

If a legal power to impoſe taxes without conſent of the people, did neceſſarily imply a legal power to impoſe taxes at pleaſure, without limitation, Locke's argument would be invincible, in a country of freedom at leaſt. A power to impoſe taxes at pleaſure, would indeed be an invaſion of the fundamental law of property; becauſe, under pretext of taxing, it would ſubject every man's property to the arbitrary will of the ſovereign. But the argument has no weight, where the ſovereign's power is limited. The reciprocal duties between ſovereign and ſubject imply, that the people ought to contribute what ſums are neceſſary for the ſupport of government, and that the ſovereign ought not to demand more. It is true, that there is no regular check againſt him, when he tranſgreſſes his duty in this particular: but there is an effectual check in the nature of every government that is not legally deſpotic, viz. a general concert among all ranks, to vindicate their liberty againſt a courſe of violence and oppreſſion; and multiplied acts of that kind have more than once brought about ſuch a concert.

As every member of the body-politic is under protection of the government, every one of them ought to pay for being protected; and yet this propoſition has been controverted by an author of ſome note (*L'ami des hommes*); who maintains, "That the food and raiment furniſhed to the ſociety by huſbandmen and manufacturers, are all that theſe good people are bound to contribute: and ſuppoſing them bound to contribute more, it is not till others have done as much for the public." At that rate, lawyers and phyſicians ought alſo to be exempted from contributing; eſpecially thoſe who draw the greateſt ſums, becauſe they are ſuppoſed to do the moſt good. That argument, the ſuggeſtion of a benevolent heart, is however no proof of an enlightened underſtanding. The labours of the farmer, of the lawyer, of the phyſician, contribute not a mite to the public fund, nor tend to defray the expence of government. The luxurious proprietor of a great eſtate has a ſtill better title to be exempted than the huſbandman, becauſe he is a great benefactor to the public, by giving bread to a variety of induſtrious people. In a word, every man ought to contribute for being protected; and if a huſbandman be protected in working for himſelf one-and-fifty weeks yearly, he ought thankfully to work one week more, for defraying the expence of that protection.

§ 5. *Rules to be obſerved in taxing.*

THE different objects of taxes, and the intricacy thereby occaſioned, require general rules, not only for directing the legiſlature in impoſing them, but for enabling others to judge what are beneficial, and what hurtful.

The firſt rule I ſhall ſuggeſt is, That where-ever there is an opportunity of ſmuggling, taxes ought to be moderate; for ſmuggling can never effectually be reſtrained, where the cheapneſs of imported goods is in effect an inſurance againſt the riſk. —

The ſmuggling of tea, which extracts great ſums from Britain, is much encouraged by its high price at home. As far as I can judge, it would be profitable, both to the public and to individuals, to lay aſide the importation-duty, and to ſubſtitute in its ſtead a duty on the conſumer. Freedom of importation would enable the Eaſt India company to ſell ſo cheap as effectually to baniſh ſmuggling; and the low price of tea would enable the conſumer to pay a pretty ſmart duty, without being much out of pocket. The following mode is propoſed merely as an example: it is a hint that may lead to improvements. Let every man who uſes tea be ſubjected to a moderate tax, proportioned to his mode of living. Abſolute preciſion cannot be expected in proportioning the tax on families; but groſs

inequality

inequality may eaſily be prevented. For inſtance, let the mode of living be determined by the equipage that is kept. A coach or chaiſe with two horſes ſhall ſubject a family to a yearly tax of 10l. heightening the tax in proportion to the number of horſes and carriages; two ſervants in livery, without a carriage, to a tax of 40s.; every other family paying 20s. Every family where tea is uſed muſt be entered in the collector's books, with its mode of living, under a heavy penalty; which would regulate the coach-tax, as well as that on tea. Such a tax, little expenſive in levying, would undoubtedly be effectual: a maſter of a family is imprudent indeed, if he put it in the power of the vender, of a malicious neighbour, or of a menial ſervant, to ſubject him to a heavy penalty. This tax at the ſame time would be the leaſt diſagreeable of any that is levied without diſguiſe; being in effect a voluntary tax, as the mode of living is voluntary. Nor would it be difficult to temper the tax ſo as to afford a greater ſum to the public than it receives at preſent from the importation-duty, and yet to coſt our people no more for tea than they pay at preſent, taking into computation the high price of that commodity. ——

A ſecond rule is, That taxes expenſive in the levying ought to be avoided; being heavy on the people, without a proportional benefit to the revenue. Our land-tax is admirable: it affords a great ſum, levied with very little expence. The duties on coaches, and on gold and ſilver plate, are ſimilar; and ſo would be the tax on tea above propoſed. The taxes that are the moſt hurtful to trade and manufactures, ſuch as the duty on ſoap, candle, leather, are expenſive in levying.

A third rule is, To avoid arbitrary taxes. They are diſguſtful to all, not excepting thoſe who are favourably treated; becauſe ſelf-partiality ſeldom permits a man to think that juſtice is done him in ſuch matters. A tax laid on perſons in proportion to their trade, or their opulence, muſt be arbitrary, even where ſtrict juſtice is intended; becauſe it depends on the vague opinion or conjecture of the collector: every man thinks himſelf injured; and the ſum levied does not balance the diſcontent it occaſions. The tax laid on the French farmer in proportion to his ſubſtance, is an intolerable grievance, and a great engine of oppreſſion: if the farmer exert any activity in meliorating his land, he is ſure to be doubly taxed. Hamburg affords the only inſtance of a tax on trade and riches, that is willingly paid, and that conſequently is levied without oppreſſion. Every merchant puts privately into the public cheſt, the ſum that in his own opinion he ought to contribute: A ſingular example of integrity in a great trading town; for there is no ſuſpicion of wrong in that tacit contribution. But this ſtate is not yet corrupted by luxury.

Becauſe many vices that poiſon a nation, ariſe from inequality of riches; I propoſe it as a fourth rule, to remedy that inequality as much as poſſible, by relieving the poor, and burdening the rich. Proprietors of overgrown eſtates, can bear without inconvenience very heavy taxes; and thoſe eſpecially who convert much land from profit to pleaſure, ought not to be ſpared. Would it not contribute greatly to the public good, that a tax of 50l. ſhould be laid on every houſe that has 50 windows; 150l. on houſes of 100 windows; and 400l. on houſes of 200 windows. By the ſame principle, every deer-park of 200 acres ought to pay 50l.; of 500 acres 200l.; and of 1000 acres 600l. Fifty acres of pleaſure-ground to pay 30l.; 100 ſuch acres 80l.; 150 acres 200l.; and 200 acres 300l. Such a tax would have another good effect: it would probably move high-minded men, to leave out more ground for maintenance of the poor, than they are commonly inclined to do.

A fifth rule of capital importance, as it regards the intereſt of the ſtate in general is, That every tax which tends to impoveriſh the nation ought to be rejected with indignation. ——

I ſhall cloſe with a rule of deeper concern than all that have been mentioned; which is, To avoid taxes that require the oath of party. They are *contra bonos mores*, as being a temptation to perjury. Few there are ſo wicked, as to hurt others by perjury: at the ſame time, there are not many of the lower ranks ſo upright, as to ſcruple much at perjury, when it prevents hurt to themſelves. Conſider the duty on candle. Thoſe only who brew for ſale, pay the duty on malt-liquor; and to avoid the brewer's oath, the quantity is aſcertained by officers who attend the proceſs. But the duty on candle is oppreſſive, not only as comprehending poor people who make

no candle for ſale, but as ſubjecting them to give oath on the quantity they make for their own uſe. Figure a poor widow, burdened with five or ſix children: ſhe is not permitted to make ready a little food for her infants, by the light of a rag dipped in greaſe, without paying what ſhe has not to pay, or being guilty of perjury. However upright originally, poverty and anxiety about her infants will tempt her to conceal the truth, and to deny upon oath: — a ſad leſſon to her poor children: ought they to be puniſhed for copying after their mother, whom they love and revere? whatever ſhe does appears right in their eyes. The manner of levying the ſalt-tax in France is indeed arbitrary; but it is not productive of immorality: an oath is avoided; and every maſter of a family pays for the quantity he is preſumed to conſume. French wine is often imported into Britain as Spaniſh, which pays leſs duty. To check that fraud, the importer's oath is required; and if perjury be ſuſpected, a jury is ſet upon him in exchequer. This is horrid: the importer is tempted by a high duty on French wine to commit perjury; for which he is proſecuted in a ſovereign court, open to all the world: he turns deſperate, and loſes all ſenſe of honour. Thus cuſtom-houſe-oaths have become a proverb, as meriting no regard; and corruption creeping on, will become univerſal. Some goods imported pay a duty *ad valorem*; and to aſcertain the value the importer's oath is required. In China, the books of the merchant are truſted, without an oath. Why not imitate ſo laudable a practice? If our people be more corrupted, perjury may be avoided, by ordaining the merchant to deliver his goods to any who will demand them, at the rate ſtated in his books; with the addition of ten per cent. as a ſufficient profit to himſelf. Oaths have been greatly multiplied in Britain ſince the Revolution, without reſerve, and contrary to ſound policy. New oaths have been contrived againſt thoſe who are diſaffected to the government, againſt fictitious titles in electing parliament-members, againſt defrauding the revenue, &c. &c. They have been ſo hackneyed, and have become ſo familiar, as to be held a matter of form merely. Perjury has dwindled into a venial tranſgreſſion, and is ſcarce held an imputation on any man's character. Lamentable indeed has been the conduct of our legiſlature: inſtead of laws for reforming or improving morals, the imprudent multiplication of oaths has not only ſpread corruption through every rank, but, by annihilating the authority of an oath over conſcience, has rendered it entirely uſeleſs.

Three diſcourſes: 1. Upon the man after God's own heart; 2. The faith of Abraham; 3. The ſeal of the foundation of God. By Edward Evanſon, M. A. 1 *s.* 6 *d.* Law.

THE firſt of theſe diſcourſes is founded on Acts xiii. 22.; in which text, according to the interpretation generally received, David, king of Iſrael, is denoted by the phraſe, *the man after God's own heart.* Mr Evanſon, among others, diſlikes this explication, and thinks it attended with very great, if not inſuperable difficulties. Reaſon, he apprehends, ſuggeſts, that the life of him who hath any claim to the above title, ſhould be unſtained with any one vice, at leaſt of a heinous kind, if not abſolutely perfect. He propoſes therefore to examine, whether the writers of the Old or New Teſtament, in the paſſages where this phraſe occurs, were really ſpeaking of the perſon of King David: "And I perſuade myſelf," he ſays, "that ſuch an inquiry will very fully convince us, that had not this part of the ſacred hiſtory been, in general, imperfectly underſtood, the common objections of unbelievers, far from ſeeming to gain ſtrength, as I fear they have done, from the unſatisfactory evaſive anſwers uſually made to them, would have appeared to be utterly without foundation."

In ſupport of that interpretation which this writer has to offer, he remarks, that "in the writings of the Old Teſtament, what is ſpoken of the father, eſpecially regarding future events, is ſcarce ever meant of the father's own perſon, but is almoſt always prophetic of the will of Providence with reſpect to the whole or ſome particular part of his poſterity." He produces ſome inſtances of this kind; and proceeds, by this rule, to examine the declaration of the Prophet Samuel, concerning David, which is repeated by St Paul in the words of our author's text. He obſerves, that what is ſaid of ſettling the kingdom on David, is evidently put in contraſt to the denunciation of God's rejecting Saul from being king. It is clear, that this rejection was not to be underſtood

underſtood literally of the perſon of Saul, ſince he reigned ſome years afterwards, and was in poſſeſſion of the regal dignity to the day of his death. This part of the prediction muſt therefore be explained as reſpecting the *poſterity* of Saul, who were excluded from the throne of Iſrael. "Since then," ſays our author, "it is evident, that the rejecting Saul from being king, is only prophetic of the rejection of Saul's family; God's having found in David a man after his own heart, which is mentioned in the very ſame breath of the holy prophet, may very reaſonably be regarded only as prophetic likewiſe of God's finding that character in the family of David."

To theſe reflections Mr Evanſon adds a farther argument, drawn from the laſt clauſe of the verſe under examination, viz. *which ſhall fulfil all my will;* a declaration which, he thinks, by no means accords with David's moral and private conduct: nor can he conſider it as applicable to him in his public capacity; becauſe he did not build the temple at Jeruſalem, without which the ritual and worſhip of the Jews was incomplete. But it may be aſked, in reſpect to the laſt article, Might not David be ſaid, in his public character, to have accompliſhed the will of Providence, although he did not erect the temple, which it was plainly the divine intention ſhould be effected by another hand? However, from theſe and ſome other conſiderations, Mr Evanſon draws his concluſion, that "no man but the Meſſiah could poſſibly *fulfil all the will of God*; and therefore nothing more could be meant by the divine teſtimony which was given of David, than a prophecy, that this ſaviour of the world ſhould be one of his offſpring.—"Thus," he adds, "I think it appears, that the whole charge of inconſiſtency in the holy ſcriptures, with all the impious ſcoff and ridicule of unbelievers, on David's account, is founded only in their own miſapprehenſion of the writings they undertake to criticiſe. And indeed I am ſatisfied, it will be ever found, when matters are brought fairly to an iſſue, that the doctrines of revealed religion (as they are really contained in thoſe ſacred books) are founded on the ſtedfaſt and immutable rock of truth, and will abide for ever."

The two diſcourſes which follow are ſenſible and practical. The ſecond is on *the faith of Abraham*, from Rom. iv. 22. Its tenor will appear by the ſhort paſſage we here inſert. "We ſee, then, that the faith preached up to us, and recommended, by the great apoſtle, does not ſignify the profeſſion of our belief in any propoſition reſpecting the nature of God, nor in declaring our approbation of any form of words whatever, intelligible or unintelligible, but in a full aſſurance, that the things which God hath ſpoken, he will infallibly perform, in a firm truſt and reliance on the goodneſs and providence of our Almighty Creator, and a ready and exact obedience to all his plain commands. Happy had it been for mankind, if this doctrine of the Apoſtle had been at all times preached by the teachers of the Chriſtian church! we ſhould not now lament the ſad perverſion of our holy religion, which at preſent prevails in every country of Chriſtendom."

The third diſcourſe is intitled, *The ſeal of the foundation of God*, from 2 Tim. ii. 19. In this, as well as in the foregoing diſcourſe, the author appears to be a zealous advocate for the liberty of private judgement; and he writes in a ſpirited ſtrain againſt creeds, ſubſcriptions, and impoſitions. "When religious faith," ſays he, "is founded on the opinions of men, it muſt be an inexhauſted ſource of ſtrife, contention, and diſpute; becauſe ſo long as there are different men, there muſt be different opinions in the world. The firſt evil conſequence, therefore, which followed the preferring human interpretations of the word of God before that infallible word itſelf, was to root out all that brotherly love and univerſal benevolence, which our bleſſed Saviour hath made the only diſtinguiſhing mark of his true diſciples; to ſplit the members of Chriſt's body into numerous ſects and factions; and make them deſpiſe, hate, perſecute, and even deſtroy, their brethren who differed from them."

Again, in another place, ſpeaking of creeds, he ſays, "Almighty God, to whom all hearts are open, and from whom no ſecret is hid, well knows how right and ſtedfaſt our faith is in him and his Anointed, without our ſtanding up ſo many times a-day, or ſo many times a-week, to acquaint him with it. And as to our fellow-creatures, they cannot know us *one bit the better* for ſuch profeſſions; becauſe it is not in the power of man to diſcern, whether what we utter be the real dictates of our hearts, the unmeaning

unmeaning *verbiage* of parrots, the ſpecious cant of hypocriſy, or the mere echo of our party. What wiſe man, therefore, or what benevolent Chriſtian, would wiſh to offend the conſciences of any of his weak or ſcrupulous brethren, by the public uſe of any formularies of belief, even though he himſelf ſhould ſincerely approve of every thing contained in them!"

The three ſermons in this pamphlet are followed by *annotations* on particular parts of them, which appear very ſenſible and judicious. The writer is naturally led, by ſome of his obſervations, to take notice of the Archdeacon of Winchester, who has advanced propoſitions ſo very different from thoſe which are here laid down by Mr Evanſon, who is no friend to the high-flown claims of bigotted churchmen. Bigotted churchmen, therefore, are not likely to prove friends to him; and accordingly we learn, that Mr Evanſon is at this time actually under proſecution in the ſpiritual court, for omitting, in his official capacity, the Athanaſian parts of the ſervice of the church. On this occaſion, we are told, a great number of the inhabitants of the pariſh, unknown to Mr Evanſon, held a meeting, at which a very handſome ſum was ſubſcribed, for the maintenance of his cauſe: at the ſame time declaring their reſolution to raiſe a farther ſupply, if it ſhould be found neceſſary. This readineſs, in a body of laymen, to ſupport a pious and conſcientious clergyman, and ſave him from ſinking under the weight of legal oppreſſion, reflects great honour on the town of Tewkeſbury. M.

A farewell-addreſs to the pariſhioners of Catterick. By Theophilus Lindſay, M. A. 6 *d.* Johnſon.

THis worthy and conſcientious author acquaints his pariſhioners with the motives which have induced him to quit his ſtation and miniſtry in the church [36.]; he reminds them of his uſual exhortations from the pulpit, concerning the nature of practical religion, the importance of family-prayer, and the religious obſervance of the ſabbath; after which he takes his leave of them in theſe affectionate and pathetic terms.

"Soon ſhall all the friendſhips and connections of this world be diſſolved, and at an end. The parting, and the ſeparation, which death muſt have made betwixt us in a few years, perhaps much ſooner, is only anticipated a little. And it may be a providential bleſſing to both you and me, if I may but thereby be approved, and found faithful unto the end, for which I deſire the help of your prayers; and if this my voluntary diſmiſſion of myſelf from my ſtation and miniſtry among you, (to which I am conſtrained by a principle of conſcience, and obedience to Chriſt, as I firmly believe), may contribute to convince you,

That the goſpel of Jeſus is the truth of God, — the pearl of great price, Matth. xiii. 45. for which we are to be willing to part with every thing rather than fail of obtaining it: to induce you

To do nothing now which you ſhall not approve at that ſolemn hour when you leave the world:

And to be ready at all times, and even deſirous, to have the common-prayer book reformed, and the public worſhip of God in it made more conformable to the holy ſcriptures, for your own ſakes, and that of your conſcientious paſtors, whenever it ſhall pleaſe God, in his providence, to incline our gracious prince and parliament to ſet about ſo needful a work.

And now, O Holy Father, *the bleſſed and only potentate*, in conformity to what I believe thy will, and my duty, I reſign unto thee, from whom I received them, my miniſtry and people. Do thou raiſe up unto them a faithful teacher, who ſhall more effectually preach thy word, turn many from ſin, and bring all nearer to thee, their only portion and happineſs. And graciouſly diſpoſe of me, thine unworthy ſervant, where and how I may beſt be enabled to ſerve thee according to the pure goſpel of thy Son, through whom I deſire to find acceptance with thee, now and for ever." C.

A diſcourſe on the different kinds of air. By Sir John Pringle, F. R. S. Pr. [39.]

THis diſcourſe chiefly relates to the ſubject for which the annual prize-medal of 1773 was conferred on the Rev. Dr Prieſtley, namely, the many curious and uſeful experiments contained in his *Obſervations on different kinds of air*, read at the ſociety in March 1772, and inſerted in the laſt volume of the *Philoſophical Tranſactions*, vol. 62.

In this diſcourſe the learned Preſident has traced the progreſs of the moſt important diſcoveries of the properties of air

air from the time of Bacon and Galileo to the preſent time; and has compriſed in a few pages the reſult of innumerable experiments. In fact, the diſcourſe may be conſidered as a compendious hiſtory of common and factitious air, ſo far as the eſſential properties of either have yet been diſcovered.

To Lord Bacon the Preſident aſcribes the diſcovery of factitious or artificial air; to Sir Iſaac Newton, that true permanent air ariſing from fixed bodies by heat and fermentation; to Dr Hales, the air abounding in the Pyrmont waters; to Dr Brownrig, the quality of that air which is of the mephitic or deadly kind, ſuch as is found in damps, deep wells, caverns, and coal-pits, ſo often fatal to miners; to Dr Black, that of fixed air; and to Mr Lane, the diſcovery of the chalybeate principle in the Spa and Pyrmont waters, in conſequence of a converſation with Dr Watſon jun. on an experiment of Mr Cavendiſh's, by which that gentleman had found the mephitic air ſufficient to diſſolve any calcareous earths. "Nothing," ſays the Preſident, "ſeemed now to be wanting to the triumph of art, but an eaſy method of joining, as there ſhould be occaſion, one or both of thoſe principles to common water, in order to improve upon nature in the more extenſive uſe of her medicine: and this was effected by Dr Prieſtley, after ſome other important diſcoveries had been made in this part of pneumatics, firſt by Dr Black, profeſſor of chymiſtry at Edinburgh, and then by Mr Cavendiſh, a member of the royal ſociety."

Of all theſe facts, and others which the Preſident enumerated, Dr Prieſtley carefully availed himſelf; and conceiving that common water, impregnated with this mephitic fluid alone, might be uſeful in medicine, particularly for ſailors on long voyages, for curing or preventing the ſea-ſcurvy, for this purpoſe he made a ſimple apparatus for generating this ſpecies of air from chalk, and mixing it with water, in ſuch quantities, and in ſo ſpeedy a manner, that, having exhibited the experiment before the royal ſociety and the college of phyſicians, it met with ſo much approbation, that, in order the public might the ſooner reap the benefit of it, he was induced to detach this part of his labours, and, in a ſeparate paper, to preſent it to the Admiralty.

To the diſcovery of the different kinds of factitious air already enumerated, the Preſident adds another, diſcovered by Mr Cavendiſh, called *inflammable air*, of the nature of that found in neglected privies, common ſewers, but chiefly in coal-pits, where it is called the *fire-damp*. This kind of air is ſurpriſingly light, being only the tenth part of the weight of common air, and therefore totally different from the mephitic, which is found to be heavier. This air may be produced in abundance from three metallic bodies, zink, iron, and tin, by diſſolving them in the diluted vitriolic acid, or ſpirit of ſea-ſalt.

Another ſpecies of air, called *nitrous air*, the Preſident reckons among the moſt brilliant of Dr Prieſtley's diſcoveries. It was firſt produced by Dr Hales, from the Walton pyrites, by means of the ſpirit of nitre; but Dr Prieſtley, by extending the experiment, found that the ſame kind of air might be procured, by means of the ſame kind of acid, from almoſt every other metallic ſubſtance; and that, when mixed with common air, an effervescence, with a turbid red colour, always enſued; yet it made no change when either mixed with inflammable air, or tainted with the breath of animals, or the corruption of their bodies; and by this teſt he could judge of the kind, as well as of the degree, of injury done to common air, by candles burning in it, or by the breath or effluvia of people, after they had left viſiting him in his ſtudy.

The Preſident concludes his excellent diſcourſe with ſhewing, from Dr Prieſtley, what reſources Nature has in ſtore againſt the bad effects of corrupted air, which, from various cauſes, infects our atmoſphere.

"It is well known," ſays he, "that flame cannot long ſubſiſt without a renewal of common air. The quantity of that fluid which even a ſmall flame requires is ſurpriſing: an ordinary candle *conſumes*, as it is called, about a gallon of air in a minute. Now, conſidering the vaſt conſumption of this vital fluid, by fires of all kinds made by man, and by volcanos, it becomes an intereſting inquiry to aſcertain what change is made in the air by flame, and to diſcover what proviſion there is in nature to repair the injury done by this means to our atmoſphere. Dr Prieſtley, after relating the conjectures of others, and not finding them

them ſatisfactory, was fortunate in falling upon a method of reſtoring air which had been vitiated by the burning of candles in it. This led the way to the diſcovery of one of the great reſtoratives which Nature employs for this purpoſe, to wit, vegetation.—See by what induction he proves his opinion.

It was natural to imagine, that, ſince the change of common air is neceſſary to vegetable, as well as to animal life, both plants and animals rendered it foul in the ſame manner, ſo as to become unfit for further life and vegetation. But when, with that expectation, the Doctor had put a ſprig of mint, in a growing and vigorous ſtate, under an inverted glaſs jar, ſtanding in water, he was agreeably diſappointed to find, that this plant not only continued to live, though in a languiſhing way, for two months, but that the confined air was ſo little corrupted by what had iſſued from the mint, that it would neither extinguiſh a candle, nor kill a ſmall animal which he conveyed into it. What further evinced the ſalutary nature of the effluvia of vegetables, he found, that air, vitiated by a candle left in it till it burnt out, was perfectly reſtored to its quality of ſupporting flame, after another ſprig of mint had for ſome time vegetated in it. And, to ſhew that the aromatic vapour of that plant had no ſhare in reſtoring this purity to the air, he obſerved, that vegetables of an offenſive ſmell, and even ſuch as ſcarce had any ſmell at all, but were of a quick growth, proved the very beſt for this purpoſe. Nay more, the virtue of growing vegetables was found to be an antidote to the baneful quality of air corrupted by animal reſpiration and putrefaction.

We have ſaid, that neither candles will burn, nor animals live, beyond a certain time, in a given quantity of air; yet the cauſe of either ſo ſpeedy a death or extinction was unknown, nor was any method diſcovered for rendering that empoiſoned air fit again for reſpiration. Some proviſion, however, there muſt be in nature for this purpoſe, as well as for that of ſupporting flame; without ſuch, the whole atmoſphere would in time become unfit for animal life, and the race of men, as well as beaſts, would die of a peſtilential diſtemper. Yet we have reaſon to believe, that, in our days, the air is not leſs proper for breathing in, than it was above two thouſand years ago, that is, as far as we go back in natural hiſtory. Now, for this important end, the Doctor has ſuggeſted, to the divine as well as to the philoſopher, two grand reſources of nature; the vegetable creation again is one, and the ſea and other great bodies of water are the other.

As to the former, having found that plants wonderfully thrive in putrid air, he began to attempt, by means of growing vegetables, to purify air that had been injured by animal reſpiration and putrefaction; nor was he leſs ſucceſsful than before. Theſe plants were ſure to recover the air to a degree of fitneſs for breathing in it, and that in proportion to their vigour, and the care he took to remove the rotten leaves and branches, which remaining would have marred the operation.

And with regard to the ſecond reſource of nature, namely, the ocean, and other waters, Dr Prieſtley having obſerved, that both the air corrupted by the breath of animals, and that vitiated by other putrid matter, was in a good meaſure ſweetened by the ſeptic part infuſing itſelf into water, he concluded, that the ſea, the great lakes and rivers, which cover ſo large a proportion of the globe, muſt be highly uſeful, by abſorbing what is putrid, for the further purification of the atmoſphere; thus beſtowing what would be noxious to man and other animals, upon the formation of marine and other aquatic plants, or upon other purpoſes yet unknown.

From theſe diſcoveries we are aſſured, that no vegetable grows in vain; but that from the oak of the foreſt to the graſs of the field, every individual plant is ſerviceable to mankind; if not always diſtinguiſhed by ſome private virtue, yet making a part of the whole which cleanſes and purifies our atmoſphere. In this the fragrant roſe and deadly night-ſhade co-operate: nor is the herbage nor the woods that flowriſh in the moſt remote and unpeopled regions unprofitable to us, nor we to them, conſidering how conſtantly the winds convey to them our vitiated air, for our relief, and for their nouriſhment. And if ever theſe ſalutary gales riſe to ſtorms and hurricanes, let us ſtill trace and revere the ways of a beneficent being, who, not fortuitouſly but with deſign, not in wrath but in mercy, thus ſhakes the waters and the air

air together, to bury in the deep thoſe putrid and peſtilential effluvia, which the vegetables upon the face of the earth had been inſufficient to conſume."

The Preſident's addreſs to Dr Prieſtley, on delivering him the medal before mentioned, does the Doctor honour:

"Dr PRIESTLEY, It is now time that, in the name and by the authority of the Royal Society of London, inſtituted for the improvement of natural knowledge, I preſent you with this medal, the palm and laurel of this community, as a faithful and unfading teſtimony of their regard, and of the juſt ſenſe they have of your merit, and of the perſevering induſtry with which you have promoted the views, and thereby the honour of this ſociety. And, in their behalf, I muſt earneſtly requeſt you to continue thoſe liberal and valuable inquiries, whether by further proſecuting this ſubject, probably not yet exhauſted, or by inveſtigating the nature of ſome other of the ſubtile fluids of the univerſe. You will remember, that *fire*, the great inſtrument of the chymiſts, is but little known even to themſelves; and that it remains a query, what was by the moſt celebrated of philoſophers propoſed as ſuch, whether there be not a certain fluid (he calls it *æther*) the cauſe of gravity, the cauſe of the various attractions, and of the animal and vital motions *. Theſe, Sir, are indeed large demands: but the Royal Society have hitherto been fortunate in their pneumatic reſearches. And were it otherwiſe, they have much to hope from men of your talents and application, and whoſe paſt labours have been crowned with ſo much ſucceſs." G.

* Newton's Optics, quer. 18.—24.

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ſeparation, our author obſerves, that the more we familiariſe ourſelves to it, the leſs ſurpriſed and the more prepared we ſhall be, whenever that event ſhall happen: for that it WILL and MUST happen, one day or other, he conſiders as INEVITABLE. As to the objections that may be made to our author's propoſal, he ſeems to have foreſeen all that appear to be of importance, and to have anſwered them with that ſolidity which was to be expected from a writer who hath been ſo long, and ſo intimately, converſant with ſubjects of this kind. On the other hand, the manifold advantages of a ſeparation are ſet forth in the cleareſt light; and ſhewn to be infinitely ſuperior to every conſideration that can poſſibly be urged in favour of timid or temporizing meaſures. M.

The letters of Gov. Hutchinſon and Lt-Gov. Oliver, &c. printed at Boſton; and remarks thereon. With the aſſembly's addreſs, and the proceedings of the Lords Committee of Council. Together with the ſubſtance of Mr Wedderburne's ſpeech relating to thoſe letters. 2s. *Wilkie.* [25.]

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Obſervations and experiments on the poiſon of lead. By Thomas Percival, M. D. 2s. *Johnſon.* —— Dr Percival obſerves, that the action of lead is not confined to the human ſpecies, but exerts its deleterious powers likewiſe on quadrupeds and birds: in ſupport of which facts he produces many inſtances. — A gentleman in Staffordſhire uſed to feed his hounds in troughs lined with lead, and they never hunted but three or four of them fell down during the chace, convulſed, and ſeemingly in agonies. The leaden troughs were removed, and the hounds from that time were entirely free from this diſorder. — A lady attentive to the feeding of her poultry, had troughs of lead made for them. After the uſe of theſe, her fowls and chickens became ſickly, ſpiritleſs, and emaciated. The food ſhe gives them conſiſts of bread, potatoes, barley, &c. mixed with butter milk. The laſt ingredient is a powerful ſolvent of lead; and thus poiſon is mixed with their nouriſhment. — Common red ſealing-wafers are made of fine flour, whites of eggs, iſinglaſs, and a little yeſt. They ſhould be coloured with vermilion; but as red lead is much cheaper, it is more frequently uſed. The common wafers contain a large quantity of it. By ſetting fire to a few of them ſtuck on the point of a pin, the ſurface of the wafers will be covered with an infinite number of particles of lead, which running together will fall down into whatever is held to receive them. The coarſer or common kinds are poiſonous; and it is abſurd œconomy to purchaſe ſuch on account of their cheapneſs. The poliſhed Iriſh wafers ſeem to contain no lead. — Dr Percival takes notice, that two books of cookery lately publiſhed, contain receipts for recovering wine when ſour, and preventing it from becoming ſo, by means of ceruſſe, and of melted lead. As this is a practice of the moſt pernicious tendency, it ought to be univerſally exploded; and we would warn all perſons who regard their own health, to refrain from an expedient which may be productive of ſuch fatal effects. C.

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The WITHERED ROSE.

The laſt compoſition of the late Mr John Cuningham, written by him a few weeks before his death, and intended, as he expreſſed himſelf to a friend to whom he preſented it, as a true image of himſelf, being then in a very poor ſtate of health.

SWeet object of the zephyr's kiſs,
Come, roſe, come courted to my bower:
Queen of the banks! the garden's bliſs!
Come and abaſh yon tawdry flower.

Why call us to revokeleſs doom?
With grief the opening buds reply;
Not ſuffered to extend our bloom.
Scarce born, alas! before we die!

Man having paſs'd appointed years,
Ours are but days—the ſcene muſt cloſe;
And when Fate's meſſenger appears,
What is he but a WITHERED Roſe?

Verſes written by an unfortunate lover.

YE ſhepherds and nymphs of the plains,
Where Thames' gentle current doth glide,
Who often have heard my ſoft ſtrains,
Nor to pay your attention, deny'd.
With pity, ye fair, oh! reflect
On the cruel reverſe of my fate;
See conſtancy paid with neglect,
And fondneſs rewarded with hate.

If averſe to my courtſhip at firſt,
You had check'd my fond infant deſire,
Your coldneſs had left me leſs curs'd,
And, perhaps, had extinguiſh'd my fire:
But all your falſe arts you employ'd,
Ingenious and wanton in ill;
The paſſion you nurs'd, you deſtroy'd,
And only created to kill.

Yet though you delight in my ſmart,
Tho' you rob me of all I hold dear,
Revenge is below a brave heart;
I wiſh you a lot leſs ſevere.
May the ſwain you ſhall crown with ſucceſs,
By his fondneſs deſerve to be priz'd;
'Twould double, methinks, my diſtreſs,
At laſt to ſee you too deſpis'd.

ABSENCE: a ſong.

In the manner of Shenſtone.

By the Rev. THOMAS BLACKLOCK, D. D.

YE rivers ſo limpid and clear,
Who reflect, as in cadence you flow,
All the beauties that vary the year,
All the flow'rs on your margins that grow!
How bleſt on your banks could I dwell,
Were Meliſſa the pleaſure to ſhare,
And teach your ſweet echoes to tell
With what fondneſs I doat on the fair!

Ye harveſts that wave in the breeze
As far as the view can extend!
Ye mountains, umbrageous with trees,
Whoſe tops ſo majeſtic aſcend!
Your landſcape what joy to ſurvey,
Were Meliſſa with me to admire!
Then the harveſt would glitter, how gay,
How majeſtic the mountains aſpire!

In penſive regret, whilſt I rove,
The fragrance of flow'rs to inhale;
Or watch from the paſtures and grove,
Each muſic that floats on the gale.
Alas! the deluſion how vain!
Nor odours nor harmony pleaſe
A heart agonizing with pain,
Which tries every poſture for eaſe.

If anxious to flatter my woes,
Or the langour of abſence to chear,
Her breath I would catch in the roſe,
Or her voice in the nightingale hear:
To cheat my deſpair of its prey,
What object her charms can aſſume?
How harſh is the nightingale's lay,
How inſipid the roſe's perfume?

Ye zephyrs that viſit my fair,
Ye ſun-beams around her that play,
Does her ſympathy dwell on my care?
Does ſhe number the hours of my ſtay?
Firſt periſh ambition and wealth,
Firſt periſh all elſe that is dear,
Ere one ſigh ſhould eſcape her by ſtealth,
Ere my abſence ſhould coſt her one tear.

When, when ſhall her beauties once more
This deſolate boſom ſurpriſe?
Ye Fates! the bleſt moments reſtore
When I baſk'd in the beams of her eyes;
When, with ſweet emulation of heart,
Our kindneſs we ſtruggled to ſhow;
But the more that we ſtrove to impart,
We felt it more ardently glow.

Verſes written on the banks of the Thames, near Twickenham, laſt ſummer.

AS muſing beſide the clear ſtream
To Twickn'ham's gay village ally'd,
Of Nancy I ſung, and my theme
Kept pace and complain'd with the tide,

That murmur'd at loſs of its Pope —
I mourn'd for the loſs of my fair,
As each was alike without hope
To meet with a jewel ſo rare.

Adieu

Adieu ye ſweet meadows and lawns!
No more on your paths ſhall I ſtray —
Or like the briſk lambkins and fawns,
So blitheſomely ſpeed the long day!

For Nancy (the cruceſt maid!)
Hath left me alone to deſpair!
Nor heeds the ſoft things I have ſaid —
Nay ſworn to ſo oft in her ear.

O fool that I am to complain! —
Fly, love! quickly fly from my breaſt! —
Too long have I worn the ſlave's chain —
Too long been a ſtranger to reſt!

Since Nancy will not lend an ear,
A nymph that's more kind I'll attend;
But nought of love's tale ſhall ſhe hear —
I'll promiſe to be her firm friend.

Methinks I ſee Venus the gay —
The little rogue Cupid beſide,
Directing an arrow this way,
And, ſmiling, my maxim deride.

But Venus may boaſt of her pow'r,
And Cupid contemptuouſly ſmile —
In friendſhip I'll ſpend ev'ry hour —
No longer ſhall love me beguile.

On friendſhip grave reaſon attends —
It warms as it grows, and takes root;
And gradually rip'ning, aſcends —
Producing the wholeſomeſt fruit.

A haſty PROLOGUE *to* All for Love, *acted at Blenheim-houſe, in the ſummer* 1718.

Written by Biſhop Hoadly, and ſpoken by Lady Bateman, who acted Cleopatra.

While ancient dames and heroes in us live,
And ſcenes of love and war we here revive,
Greater in each, in each more fortunate,
Than all that ever ages paſt call'd great,
O Marlbro', think not wrong that I thee name,
And firſt do homage to thy brighter fame.
Beauty and virtue with each other ſtrove
To move and recompenſe thy early love;
Beauty, which Egypt's queen could never boaſt,
And virtue, the ne'er knew, or quickly loſt.
A ſoul ſo form'd and cloath'd Heav'n muſt deſign,
For ſuch a ſoul, and ſuch a form, as thine.
But call'd from ſoft repoſe, and beauty's charms,
Thy louder fame is ſpoke in feats of arms.
The fabled ſtories of great Philip's ſon,
By thy great deeds the world has ſeen outdone;
The Cæſars that Rome boaſted yield their bays,
And own, in juſtice, thy ſuperior praiſe:
They fought the empire of the world to gain,
But thou to break the haughty tyrant's chain;
They fought t' enſlave mankind, but thou to free
Whole nations from deteſted ſlavery:
" Their guilty paths to grandeur taught to hate
" By virtue, nor to bluſh for being great *."
This heap of ſtones which Blenheim's palace frame,
Roſe in this form, a monument to thy name:
This heap of ſtones muſt crumble into ſand,
But thy great name ſhall through all ages ſtand.
In Fate's dark book I ſee thy long liv'd name,
And thus the certain prophecy proclaim:
" One ſhall ariſe who ſhall thy deeds rehearſe,
" Not in arch'd roofs, or in ſuſpected verſe;
" But in plain annals of each glorious year,
" With pomp of truth the ſtory ſhall appear:
" Long after Blenheim's walls ſhall mouldered lie,
" Or, blown by winds, to diſtant countries fly,
" By him ſhall thy great actions all ſurvive,
" And by thy name ſhall his be taught to live."
O cheriſh the remains of life; ſurvey
Thoſe years of glory which can ne'er decay;
Enjoy the beſt reward below allow'd,
The memory of paſt actions great and good!

BENEVOLENCE. An Ode.

By J. Woodhouſe, a journeyman-ſhoemaker.

LET others boaſt Palladian ſkill
The ſculptur'd dome to raiſe;
To ſcoop the vale, to ſwell the hill,
Or lead the ſmooth meand'ring rill
In ever-varying maze;
To ſtrike the lyre
With Homer's fire,
Or Sappho's tender art;
Or Handel's notes with ſweeter ſtrains inſpire,
O'er Phidia's chiſſel to preſide,
Or Titian's glowing pencil guide
Through every living part.

Ah! what avails it thus to ſhine,
By ev'ry art refin'd;
Except BENEVOLENCE combine
To humanize the mind!
The Parian floor,
Or vivid cieling, freſco'd o'er,
With glaring charms the gazing eye may fire;
Yet may their lords, like ſtatues cold,
Devoid of ſympathy, behold
Fair Worth with want repine,
Or Indigence expire;
Nor ever know the nobleſt uſe of gold.

'Tis yours, with ſympathetic breaſt
To ſtop the riſing ſigh,
And wipe the tearful eye,
Nor let repining Merit ſue unbleſt;
This is a more applauſive taſte
Than ſpending wealth
In gorgeous waſte,
Or with dire luxury deſtroying health;
It ſweetens life with ev'ry virtuous joy,
And wings the conſcious hours with gladneſs as they fly.

* *Theſe two lines, from Dryden's Aurengzebe, ſeem the worſt in the whole poem both as to ſound and obſcurity.* Gent. Mag.

On

On a gentleman's trepanning a highwayman.

[Monday evening a highwayman attacked a gentleman's poſt-chaiſe in St George's-fields. The gentleman perceiving his inexperience by his confuſion, expoſtulated with him; which had ſuch an effect upon him, that he burſt into tears, and confeſſed it was the firſt time; that he wanted but ſix guineas, without which he muſt be doomed to a gaol, and his wife and children inevitably ſtarve. The gentleman pretending to lament his ſituation, told him, he would alleviate his diſtreſſes, and lend him the ſum on his note, if he would follow him to his inn in Blackman-ſtreet; where they had not long been, when the gentleman found an opportunity of ſending for a conſtable, and had him ſecured. *Lond. pap. Dec.* 1773.]

Verſes on the occaſion, by a Lady.

O Thou! who couldſt the trembling wretch betray,
By deep diſtreſs enſnar'd in Error's way;
A wife's d ſtreſs, and helpleſs childrens cry,
Enſnared by *theſe*, the dangerous paths to try;
Thou who couldſt meditate thy hateful plan,
And in thy ſcheme forget thyſelf a man!
Couldſt ſee the tears of pure ingenuous ſhame,
And ſcorn celeſtial Pity's gentle claims;
Deceive a heart too much already preſs'd,
—O 'twas a deed that Goodneſs muſt deteſt!
Juſtice herſelf it the ſacrifice withdraws,
She hates that Treach'ry ſhould promote her cauſe;
While all the Virtues weep around her throne,
And bloody Rigour marks thee for her own!
If e'er mi fortune bids thine eye o'erflow,
That eye which weeps not for another's woe;
If e'er it tempts thee, hopeleſs and forlorn!
To what proſperity may make thee ſcorn;
Say — can'ſt thou hope *that mercy* to obtain,
Which once Affliction aſk'd of thee in vain?
No — ſince *pure* Juſtice is thy lov'd decree,
May Juſtice only be aſſign'd to thee!

On SHAKESPEARE.

AS when (if truth in ancient ſtory lies)
An earth-born giant brav'd th' embattled ſkies,
The coward gods confed'rate vengeance ſped,
And heap'd whole quarries on his dauntleſs head;
Tho' ſunk he lay, by Ætna's weight oppreſs'd,
The rocking mountain ſtill his ſtrength confeſs'd;
Nor yet his force earth's central priſon bars,
But ſtill he hurls defiance to the ſtars: —
Such, giant Shakeſpeare, is thy hapleſs fate,
By critics tumbled from thy tow'ry height;
By envious dullneſs halt thy page o'ergrown,
'Midſt notes entomb'd and chaos not its own;
Yet ſtill each rival feels thy powers divine,
Around thee ſtill the fires of genius ſhine;
And leſt their warmth in critic aſhes die,
Thy Garrick ſends it flaming to the ſky.

S.

NIGHT. An Elegy.

SCap'd from the noiſy world's bewitching power,
Where endleſs Diſcord holds her chearleſs reign,
From Folly's trifling train I ſteal an hour,
And dedicate to Night the youthful ſtrain.

Now balmy ſlumbers ſoothe the cares of toil,
Sweet ſleeps the peaſant in his humble cot;
Now Flattery's ſlippant tongue lies ſtill a while,
And all the labour of the day's forgot.

Cynthia, emerging from the crimſon'd Eaſt,
Moves ſlowly onward with her ſtarry train;
And ſober Night, in duſky mantle dreſt,
Reſumes once more her awful ſilent reign;

Save where the maſtiff, on the village-green,
Barks wildly at the wan moon's glimm'ring ray;
Save where the drowſy owl, with diſmal mien,
Hoots lonely on the dew-beſpangled ſpray;

Save where the rill, whoſe many banks are clad
With plaintive willows, waving o'er the ſtream,
Comes ſoftly murm'ring thro' the peaceful glade,
And ſilver'd glitters in the quiv'ring gleam;

Save where the raven, from her airy neſt,
'Mid woods impervious to the midnight-moon,
Lulls with her dreary ſongs her young to reſt,
While weary Nature mourns her beauties gone;

When at this ſolemn hour the ſlumb'ring world
Lies lowly proſtrate on the downy couch;
And Riot's ſons, in mere confuſion hurl'd,
Prolong the revels of the mad debauch:

Oft let me wander near the heath-clad hill,
O'er whoſe high top beams ſweet the ſtar of eve,
Or tread beſide the daiſy-margin'd rill,
And ev'ry ſcene of vice and folly leave;

And there hold converſe with the ſacred Muſe,
With Night's ſeraphic bard, immortal Young,
In memory's fair page his ſtrains peruſe,
How ſweet he warbled, and how ſad he ſung!

Or feel the force of Thomſon's deathleſs ſong,
Who copied Nature in each diff'rent hue;
Who, ſoft as Sappho, and as Pindar ſtrong,
Deſcrib'd ſuch ſcenes as Shakeſpeare never drew.

There let me meditate on themes divine,
Whoſe bliſsful influence high exalts the ſoul;
Or bend at Wiſdom's ever-glorious ſhrine,
And learn the throbbing paſſions to controul.

There quick-eye'd Fancy's airy flights purſue,
That wake to ecſtaſy, and thoughts ſublime,
In heav'n's bright concave with amazement view
" The God of nature, and the God of time.

Bleſt ſolitude! how ſweet thy peaceful ſcenes!
Where Contemplation's vot'ries love to ſtray;
Where, in her ſapient dreſs, Religion reigns,
And ſhines more ſplendid than the noon-tide ray.

HISTORICAL AFFAIRS.

TURKY.

The Grand Signior for ſome time paſt hath been labouring under an aſthma and a dropſy; and on the 21ſt of January, at half an hour after twelve, fell a victim to theſe diſtempers, in the 59th year of his age. He was the eldeſt ſon of Achmet III. who was dethroned in 1730. He aſcended the throne in October 1757, under the title of *Muſtapha III.* on the death of the Sultan Oſman III. [xix. 640.]. He hath left an only ſon, the Sultan Selim, aged thirteen, and three daughters, the eldeſt of whom is about fourteen years of age, and is already the widow of two Grand Vizirs. The ſame day, at half an hour after two, the guns of the ſeraglio announced the Sultan Abdul Hamet, his brother, aged 51, to be ſucceſſor, in conformity to the right of ſucceſſion eſtabliſhed in Turky, where the crown paſſes to the eldeſt of the family.

When the late Grand Signior perceived his laſt moments approaching, he is ſaid to have ſent for his brother, and recommended to him the education of his ſon; and at the ſame time gave him to underſtand, that he ardently deſired that he would ſeriouſly employ himſelf in the ſalutary work of peace.

The acceſſion of the preſent Sultan has been attended with no diſturbances, except ſome movements among the Janiſſaries at Conſtantinople and Adrianople; which, as they ſeem to take their riſe from the want of ſome pay due them, and a gratification expected from the new Sultan, will probably be eaſily quelled.

Since the Ruſſians were obliged to repaſs the Danube, the operations of the armies have been almoſt totally ſuſpended. To the accounts already given [43, 4.], we have only to add the following.

"*Conſtantinople, Dec.* 18. The retreat of the Ruſſians over the Danube, and the defeat of their rear-guard by Haſſan Pacha, has been announced to the public by the diſcharge of the artillery of the Seven Towers. The loſs of the Ruſſians upon this occaſion is computed to be 4000 men. There are no Ruſſians left on this ſide the Danube. When Haſſan Pacha wrote an account of his conqueſt to the Grand Signior, he deſired his leave to paſs the river, and haraſs the Ruſſians in their quarters; to which the Sultan not only conſented, but likewiſe ſent orders to the Grand Vizir to furniſh Haſſan Pacha with 25,000 volunteers, chiefly cavalry; and the Pacha of Widdin is to ſupport him with all his infantry."

"*Conſtantinople, Jan.* 3. A Tartar, who arrived here the 8th ult. brought advice, that a Ruſſian detachment, poſted in an iſland of the Danube, near Siliſtria, had been driven thence by our troops, after ſuſtaining conſiderable loſs, and leaving four pieces of cannon behind them. It is added, that none of the enemy are on this ſide of the Danube; and that all our poſts, from Widdin to Caraſou, as well as thoſe at Bazardick and Varna, were well ſupplied with troops, ammunition, and proviſions. — The army of the Grand Vizir is incamped at and in the neighbourhood of Shoemla."

"*Vienna, Jan.* 29. By letters from Conſtantinople, we are informed, that the Chev. Tott having repreſented to the divan the impoliſic conduct of putting a price upon each head of the enemy brought to the commanding officer, which forces the enemy to fight with the utmoſt vigour, as they can expect no favour by ſurrendering themſelves priſoners, ſo that they rather prefer to die in the field of battle, which muſt of courſe be moſt highly dangerous to the Turkiſh army, orders were immediately ſent to the armies, and have been publiſhed in the grand army, that in future no price ſhall be put upon the heads of the enemy, but, on the contrary, that the priſoners of war ſhall meet with all indulgence and liberty poſſible."

According to letters from Conſtantinople, of Jan. 3. the treaſures of the famous Ali Bey have been brought there from Egypt, and depoſited in the caſtle of the Seven Towers. They are valued at three millions of piaſtres. The Grand Signior has likewiſe acquired a conſiderable treaſure by the death of Moldavangi Pacha, formerly Grand Vizir, who, ſince his depoſition, was incamped in the environs of the Dardanelles, and died at Rodoſto of a fit of the apoplexy."

POLAND.

The diet hath been ſitting for ſome time; but none of its deliberations have tranſpired. It is prorogued to the 6th of May next: but the delegation ſtill continues

tinues ſitting, to ſettle the plan for the interior adminiſtration of the kingdom, ſo as it may be laid before the diet at its next meeting for confirmation. The continual prorogations of the diets are ſaid to give great diſſatisfaction to the three allied powers, who have made ſtrong repreſentations to the miniſtry on that ſubject, and have even threatened to annul the treaties lately concluded.

RUSSIA.

The inſurrection of the Coſſacks [15.] ſeems to have a threatening appearance.

"*Hamburg, Feb.* 1. The laſt advices received here from Ruſſia, relative to the rebellion ariſen there, mention, that the number of the ſeditious, which had been computed at 100,000 men, augment daily; and that the greateſt part of the troops which the court ſent to bring them to ſubjection have joined the rebels. The ſame advices confirm, that the chief of the inſurgents is an officer named *Pugatſcheff*, who formerly ſerved againſt the Confederates and the Turks; and add, that the Empreſs hath promiſed a conſiderable ſum, and the enſigns of the order of St Andrew, to any perſon who ſhall arreſt him."

"*Peterſburg, Jan.* 18. The revolt which has happened in part of this empire is now certainly confirmed, as the court has publiſhed a manifeſto againſt Jemelman Pugatſcheff, the chief of the rebels, who has taken upon him the name of the late Emperor Peter III.; and in conſequence thereof is endeavouring to augment his party. The Empreſs, to quell this ſedition at its firſt appearance, and to convince her ſubjects what imminent danger they are threatened with, has appointed Gen. Bibikow to march at the head of a large detachment of troops againſt the rebels, who have been daring enough to attack all the troops they have met with, and maſſacre the officers in a moſt cruel manner. Her Imperial Majeſty further hopes, that her faithful ſubjects will not ſuffer themſelves to be ſeduced by evil-inclined perſons, but, on the contrary, is perſuaded that they will remain ſubject to their lawful ſovereign; and that they will do all in their power to maintain the public tranquillity. This manifeſto, which is dated Dec. 23. 1773, (O. S.), has been ſent to all governments, provinces, and towns, throughout the empire."

"*Peterſburg, Jan.* 25. On Saturday laſt letters were received from Gen. Bibikow, from Caſan, where he waited the arrival of the reſt of the troops that were to join him before he marched to attack the revolters. The wife and children of the Coſſack who is at the head of them were taken priſoners by a party of Ruſſians, a few days before the date of theſe letters." *Lond. gaz.*

"*Peterſburg, Feb.* 12. It is really amazing to ſee the diſturbance which now reigns in this capital. The idea of a revolution has raiſed ſuch a number of parties, has cauſed ſuch diſſenſion, that every thing wears the appearance of commotion and ſtrife. We have juſt now received ſome advices from Moſcow, that the rebels in Caſſan, Beroſkier, &c. are daily increaſing, and are headed and encouraged by moſt of the principal perſons of quality in thoſe provinces; amongſt whom is a brave and very experienced officer, General Palariſſu."

"*Dantzick, Jan.* 29. We learn from Moſcow, that Pugatſcheff, at the head of his adherents, has laid ſiege to Orenburg. That place, defended by 5000 men, and abundantly furniſhed with all ſorts of proviſions, is able to make a long and vigorous reſiſtance; during which time they hope Gen. Bibikow will be able to come to their relief, and drive away the inſurgents. A great body of Coſſacks hath already retired to the neighbouring foreſts, under pretence of taking up winter-quarters; but their place has been filled by the Baſkires, who have joined the army of Pugatſcheff."

SWEDEN.

"*London, Feb.* 12. Letters from Dantzick adviſe, that ſince Sweden has been declared an abſolute monarchy, the liberty of the preſs exiſts no longer, having ſurvived that æra about eighteen months. Theſe letters add, that it is remarkable, that the liberty before allowed was ſo reſtrained, that every one who publiſhed was obliged to put his name to his work, or leave his name with the bookſeller that ſold it; which if neglected, the bookſeller was looked on as author, and liable to any penalties inflicted on trial. But this was not allowed under the new form of government."

"*Stockholm, Jan.* 25. From Skara in Eaſt Gothland we have juſt received the following account of a ſingular phænomenon in that province. During the whole month of September laſt, the element

ment was obſcured with clouds, except the 6th and the 13th days. The 22d a very heavy rain fell, which was followed by an extreme heat, which laſted till ſix in the evening. Next day there fell another, which may properly be called an electric rain, as each drop, as it fell to the ground, threw out fire; and had it happened in the night, the whole diſtrict muſt have been in flames. During the whole rain there was thunder and lightning. On the 25th following, the above extraordinary rain was followed by an earthquake, which greatly ſhook the mountain named *Kina Kulle*, and deſtroyed five pariſhes."

"*Hague, Feb.* 23. They write from Stockholm, that the college of phyſicians there have repreſented to the King, that from experiments they have made, it has been found, that the leaves of potatoes anſwer the end of tobacco for ſmoking, and that the ſmell is alſo very agreeable: in conſequence of which, his Swediſh Majeſty has given orders to increaſe the cultivation of potatoes as much as poſſible."

GERMANY.

"*Oſtend, Feb.* 9. By a rigorous adherence to the preventive mode of killing, the contagion among the horned cattle is providentially almoſt at an end in this neighbourhood; and it is to be hoped, that, by the continuance of this mode, it may be totally eradicated." *Lond. gaz.*

"*Oſtend, Feb.* 19. We hear, that ſymptoms of the diſtemper among the horned cattle had again appeared at one or two places about Ipres; but that there was reaſon to believe they would not be of much conſequence." *Lond. gaz.*

UNITED PROVINCES.

The States are buſy in augmenting their forces by land and ſea. This augmentation has given room to many ſpeculations among the politicians; ſome imagining that the States were apprehenſive of an attack from Pruſſia, or ſome other foreign power; but the moſt reaſonable opinion is ſaid to be, that they were aſhamed of the neglected ſtate of their army and navy, and have therefore uſed this ſudden and unremitting attention to eſtabliſh them on a more reſpectable footing.

ITALY.

"*Naples, Jan.* 18. The preſent eruption of Mount Veſuvius is very ſlight; and as the lava iſſues from a crack very near the crater, it will probably continue long, and do little damage, as it cools and ſtops before it reaches the cultivated parts of the mountain." *Lond. gaz.*

The inſurrection at Palermo [47.] is not yet quaſhed.

"*Naples, Jan.* 18. We received lately very diſagreeable advices from Palermo. The number of the rebels amounts to 25,000 men; they will not admit any proviſions to be brought to the fortreſs; and it is greatly feared they will commit a great deal of miſchief, in caſe ſufficient troops are not ſent thither very ſoon."

"*Naples, Jan.* 18. We hear that the conſuls of the maeſtranza at Palermo have petitioned his Sicilian Majeſty, that the Duke of Fogliani may return to that city." *Lond. gaz.*

The reſtoration of Avignon and Benevento, ſo long talked of, to the Eccleſiaſtical State, hath now taken place.

"*Rome, Jan.* 8. It is aſſured, that the miniſters from the courts of the houſe of Bourbon have formally declared to the Pope, that by the mediation of the court of Parma, with which the Holy See is reconciled, the county of Avignon, and the duchies of Benevento and Ponte Corvo, are reſtored to the court of Rome; that the Pope will make this agreeable news known to the ſacred college, in a conſiſtory appointed to be held the 17th inſtant; when his Holineſs will nominate ſix new cardinals."

"*Florence, Jan.* 29. The reſtitution of Avignon and Benevento to the ſee of Rome has been notified in this city." *Lond. gaz.*

SPAIN.

We have already given ſome general accounts of the deſtruction of Guatimala [xxxv. 609, 63.]; but as the following one is more particular, and exhibits Nature in one of her moſt awful and terrific appearances, we cannot forbear inſerting it.

"On the 3d of June 1773, about five o'clock in the morning, ſome ſmall ſhocks of an earthquake were felt at a large Indian village, about ſix leagues from Guatimala, and very near the coaſt of the South ſea; but did then no damage except alarming the inhabitants. The ſhocks continued, with trifling intermiſſions, till ſeven o'clock in the evening, when the great effects of nature began to break

forth in all their terrors: lightning and thunder were inceſſant, attended with a heavier rain than ever was known there; the ſea roſe in ſuch a convulſive manner, that it overflowed the higheſt banks, and at the ſame time the land was ſo agitated by the earthquake, that the village was wholly deſtroyed in a ſhort time, and not a trace of it left. The major part of the inhabitants, on the firſt appearance of the tempeſt, had fled towards the city of Guatimala; but found that unhappy place involved in more miſery than where they fled from. The two famous mountains near that city were in a ſtate of the greateſt eruption; the one, which emits a liquid fire, and amazing large ſtones, threw out its moſt enraged force on the city; the other, which in a like manner iſſues out water, deluged the land about. The violent ſhocks of the earthquake, the lightning, thunder, and rain, made one dreadful ſcene of confuſion not to be paralleled. This war of nature commenced in its full force about eight o'clock in the evening, and continued raging till the night of the 7th day, in which time the univerſity, the public courts of juſtice, the cathedral, the parochial churches, and all the public edifices were deſtroyed, either by the earthquake, by the fire and ſtones from the mountain, or by the impetuoſity of the river, which roſe above its banks, and bore every thing before it with the greateſt violence. Chaſms of a great extent were made in the earth, and many whole houſes, with numbers of the miſerable inhabitants, fell in, and were ſeen no more. On the night of the 7th, about the hour of ten, the mountain raged exceſſively, the earth ſhook with great violence, and the thunder increaſed; this laſted about five minutes, when the whole city of Guatimala was deſtroyed, and ſwallowed in a large chaſm, a rent in nature; and the fiery earth ſpread over it in a manner which ſoon obſcured it from ſight.—The elements now, as if gratified with their prey, calmed moſt ſurpriſingly: by the noon of the next day, every thing was again calm and ſerene; but the face of the earth was altered, the city was gone, the burning mountain ſhook from its baſe, and other rocks ſunk with their tops in the earth; the river was parted in many places, and formed into ſtanding pools of a bitter, ſmoky water; and the fine vale was covered with large ſtones, and the lava (cooled) which had iſſued from the mountains. The number of people loſt is not yet, nor poſſibly ever will be really aſcertained, as thoſe who may have eſcaped have not yet been heard of, except the preſident of the audience, the biſhop of the place, and about 170 others, who providentially eſcaped to Trinidad, or Sonſonate, about thirty leagues from Guatiamala, and about 200 who have arrived at Porto Bello."

[Guatimala, or St Jago de Guatimala, is the capital of Guatimala Proper, ſituated in 14 deg. N. lat. nine leagues from the South ſea. The new city was ſituated on a river in a beautiful valley, about three leagues from the old one; and was the largeſt city in Spaniſh America: it was the ſeat of the preſident, and courts of juſtice of the Audience, a biſhop's ſee, ſuffragan of Mexico, an univerſity, had ſeveral fine monaſteries, a cathedral, and parochial churches, exceedingly rich.]

British North America.

We continue our accounts of the ill humour of the Americans. [50.]

"*New York, Dec.* 20. On Friday laſt, in purſuance of an advertiſement diſtributed about this city the day before, addreſſed to the members of the aſſociation of the Sons of Liberty, a reſpectable number of citizens met at the city-hall; when Mr John Lamb, a member of the aſſociation, addreſſed the meeting, and informed them, that he was deſired by a number of his fellow-citizens to communicate to them, that there were ſeveral letters received from the committee of correſpondence of the town of Boſton, and a letter from Philadelphia, relative to the importation of the Eaſt-India company's tea, which it was deſired might be communicated. The letters were accordingly read; and a committee of fifteen gentlemen was choſen to anſwer theſe letters, and to correſpond with our ſiſter-colonies on the ſubject of the dutied tea. The aſſociation of the Sons of Liberty was then read; after which, the Sons of Liberty came to ſeveral reſolutions, of the ſame tendency with thoſe of Philadelphia, Boſton, &c. not to ſuffer the introduction of tea. Mr Lamb put the queſtion, Whether they agreed to the ſaid reſolutions? It paſſed in the affirmative, *nem. con.*

The mayor and the recorder came into the meeting, and informed them, that they had a meſſage from government to deliver to the people, and to take their ſenſe

ſenſe upon it. Whereupon it was agreed, that the mayor ſhould deliver the meſſage; which he accordingly did in the words following.

"Gentlemen, I have a meſſage from government to deliver to you. The Governor declares, that the tea will be put into the fort at noon-day; and engages his honour that it ſhall continue there, till the council ſhall adviſe it to be delivered out, or till the King's order, or the proprietors order, is known; and then the tea will be delivered out at noon-day. Gentlemen, is this ſatisfactory to you?" This was anſwered with a general No, No, No.

Mr Lamb then read to the people the act of parliament that impoſes the duty on tea imported into America; and after making ſome pertinent remarks on the Commons of Great Britain's giving and granting the property of the Americans, and that the duty was due on the landing of the tea, put the following queſtion: "Is it then your opinion, Gentlemen, that the tea ſhould be landed under this circumſtance?" This was carried ſo generally in the negative, that there was no call for a diviſion.

Whereas this body is informed, from unqueſtionable authority, and the letters that have now been read, that the patriotic inhabitants of the city of Philadelphia, and the town of Boſton, have determined, that no tea, ſubject to a duty by a Britiſh act of parliament, for the purpoſe of raiſing a revenue in America, ſhould be landed in either of thoſe places,

Reſolved, nem. con. That this body highly approves of that ſpirited and patriotic conduct of our brethren of the city of Philadelphia, and the town of Boſton, in ſupport of the common liberties of America. Then the queſtion was put, Whether this meeting ſhould be adjourned till the arrival of the tea-ſhip, or be diſſolved? It was carried, That the meeting ſhould be adjourned till the arrival of the tea-ſhip."

"*Boſton, Dec.* 27. At a council held the 21ſt inſt. his Excellency acquainted the council, that the reaſon he had ſummoned them to meet at this time was, that he might have their advice relating to the high-handed riot on the evening of the 16th inſt. between the hours of ſix and nine o'clock, committed by perſons diſguiſed and unknown, on board three veſſels lately arrived from London, then lying at a wharf in the ſoutherly part of the town of Boſton, known by the name of *Griffin's wharf* [48.]. After long debate it was

Adviſed, That the Attorney-General be directed to make diligent inquiry into the offence aforeſaid, in order to diſcover the offenders; and that he lay his diſcoveries before the grand jury for his Majeſty's ſuperior court of judicature, &c. for the county of Suffolk, at their next term, in order for proſecution."

"*New York, Dec.* 27. It is determined, on the arrival of the ſhip Nancy, Capt. Lockyer, with the tea from the Eaſt-India company, the commander will be made acquainted with the ſentiments of the inhabitants reſpecting the ſhipping that article, which will indubitably occaſion his return with it *in ſtatu quo*, to England, and that he will be provided with every neceſſary for his voyage home; by which diſcreet intentions, every fatality, both to this colony and the Hon. Company, will be moſt happily prevented."

"*Boſton, Dec.* 27. A great number of the towns in the government of the Maſſachuſets-bay have had legal meetings, to determine upon meaſures to prevent the importation and ſale of the India company's tea. Among theſe, the towns of Plymouth and Portſmouth agreed to, and paſſed, ſeveral very ſpirited reſolutions, for the ſecurity of their rights and liberties.—A week after the proceedings at Plymouth, at another meeting it was mentioned that ſome of the people were diſſatisfied with the proceedings of the former meeting, and deſired the votes then paſſed to be reconſidered. This being propoſed, paſſed in the negative, by 52 againſt 20. It was then propoſed, that a proteſt againſt the former proceedings ſhould be read: this alſo paſſed in the negative.——The diſſatisfied party have publiſhed their proteſt, tending to defeat the meaſures of their countrymen, and promote the deſigns of the miniſtry. This proteſt is ſigned by forty perſons; one of whom has publiſhed a recantation, declaring he was over-perſuaded to ſign the proteſt, and now is convinced, and repents of his error."

"*Boſton, Jan.* 3. It is ſaid, the behaviour of Gov. Tryon, at New York, with regard to the tea, will redound much to his honour; whilſt the conduct of the Governor of another province will be

be execrated to the lateſt period of time. —The inhabitants of Charleſtown, agreeable to an unanimous vote of the ſaid town the Tueſday preceding, on Friday laſt voluntarily brought all their tea into the public market ſquare, where it was committed to the flames at high noon-day.—The veſſel which brought up the goods (laſt Saturday) ſaved out of Capt. Loring's brig, was the ſame evening thoroughly ſearched by Indians, and no tea found on board."

"*Newport, Dec.* 27. By a judicious calculation, the province of Maſſachuſets-bay can raiſe 80,000 fighting men.—The ladies in Boſton, to their immortal honour, are entering into an aſſociation againſt the uſe of Indian tea; and we hope the ladies in this town will univerſally do the ſame."

"*New York, Jan.* 1. The people at Philadelphia ſent three or four perſons on board the tea-ſhip to ſee her out of the river; but when they wanted to return on ſhore, the captain told them, he muſt carry them home as vouchers for his conduct, which they ſay he has actually done. The ſhip for this place is not yet arrived."

"*Boſton, Jan.* 12. We are informed, that on Thurſday laſt the tea which was ſaved out of Capt. Loring's brigantine, was landed at the caſtle, by order of the officers of his Majeſty's cuſtoms,—the conſignees refuſing, we hear, to receive it."

The following accidents have happened in the province of New York.

"*New York, Dec.* 17. Laſt Thurſday the houſe of the Hon. George de Ludlow, Eſq; third judge of the ſupreme court of this province, at Hampſtead Plains, took fire, and was burnt to the ground, with almoſt every thing therein contained. Mr Ludlow had been in New York the day before, and was ſcarce three hours at home before his houſe was all in flames.—The fire, it is ſuppoſed, originated by means of ſome ſparks that found their way through the crack of an old chimney, and communicated to the wooden work of one of the rooms above. The loſs Mr Ludlow ſuſtains by this accident, cannot be leſs than 3000l."

"*New York, Dec.* 31. The 29th inſt. the government-houſe in Fort-George accidentally took fire; and ſo rapid was its progreſs, that, in a few moments after the alarm, a thick cloud of fire and ſmoke pervaded the whole building, and in leſs than two hours it was entirely conſumed.—The Governor's family, (an unhappy maid-ſervant only excepted), was by the divine providence preſerved from the flames, his daughter being reduced to the extremity of leaping out of a window in the ſecond ſtory, and her life was ſaved by falling into a deep ſnow.—The flames were ſo rapid, that nothing but a ſmall part of the furniture of one room was ſaved, not even the Governor's commiſſion and inſtructions; and had it not been for the ſnow lodged on the roofs of the houſes, joined to the effect of the fire-engines, moſt part of the city of New York would have probably been deſtroyed." *Lond. gaz.*

The New-York gazette confirms the account of the fire in the London gazette, with the following particulars, viz. "The fire firſt happened in the council-chamber; but by what means it was kindled, remains as yet undiſcovered. His Excellency's loſs muſt be very great; for beſides a rich and coſtly ſet of furniture, he has loſt all his public and private papers, plate, caſh, &c. with a valuable ſet of jewels belonging to his lady.—The great ſeal of the province was taken out of the ruins on the evening of the 31ſt of December, without being the leaſt defaced.—The day after the fire the Governor ſent a letter to the mayor of New York, requeſting him to return his affectionate thanks to the citizens, for their ſkill and activity in extinguiſhing the fire."

The New-York journal contains the following letter, addreſſed to the printer. "As the houſe in Fort-George has lately been burnt down by accident, and it is highly probable that application will be made to the general aſſembly to rebuild it; though we ſincerely condole with his Excellency, on account of his loſs, we hope that no ſuch ſtep will be taken by the houſe of aſſembly, before they have made themſelves acquainted with the general ſenſe of their conſtituents upon this ſubject: you will therefore be pleaſed to inſert the following query in your journal. "As the Governors of this province do no longer depend upon the people for their ſalary and ſupport; and as the crown has rendered them totally independent of us, (for purpoſes too obvious to need being mentioned); with what propriety can the people be taxed, to provide a houſe, and furniſh it with fire and candle, for the

the accommodation of a Governor, under theſe circumſtances?"

We now proceed to affairs of another nature.

"*Charleſtown, Jan.* 21. Letters from Virginia inform us, that about the 19th of laſt month an expreſs arrived at Williamſburg from the weſtern frontiers of that province, with diſpatches to the Earl of Dunmore, giving the following account. — In the beginning of October laſt, Capt. William Ruſſel, with ſeveral families, and upwards of thirty men, ſet out with an intention to view the country towards the Ohio, and to ſettle within the limits of the expected new government. A few days after ſetting out, the body was unfortunately divided into three ſeparate parties, viz. in the front, the main body, with the women and children, the cattle and baggage; in the centre, Capt. Ruſſel's ſon, with five white men and two negroes; and in the rear, Capt. Ruſſel himſelf, with a ſtrong party. One night, Capt. Ruſſel's ſon, with his people, incamped a few miles ſhort of the front or main body, and the next morning about day-break, being aſleep in the camp, they were fired upon by a party of Indians, who killed young Mr Ruſſel, four other white men, and one negro. Capt. Ruſſel coming up ſoon after with the rear, found his ſon's corpſe mangled in an inhuman manner, having an arrow left ſticking therein, and a war-club left lying near it. After this aſſault, the whole body returned again to the ſettlements. It appeared afterwards, that the Indians had purſued young Ruſſel's party ſome conſiderable diſtance the day before. The Indians are ſuppoſed to be Cherokees. —— The above melancholy account gives ſtrength to the opinion of Gen. Gage, and many other gentlemen well acquainted with America, viz. That the eſtabliſhment of the new government of Vandalia would very probably, among many inconveniences, bring on an Indian war."

"*New York, Dec.* 28. About three weeks ago, a veſſel arrived here from Dornoch, with a number of poor highlanders in a moſt miſerable condition. Upwards of eighty of them died on the paſſage; and had the ſurvivors been a few days longer out, they would have died likewiſe. Since their arrival, they have been in a moſt wretched ſituation, and muſt have died in the ſtreets, had not the people of this town ſupported them. I hope this will be the laſt ſhip with Scotch emigrants, that will arrive at this port: for from a variety of reaſons, the highlanders are moſt improper emigrants for this country; many of them being ſold when they arrive here for their paſſage or debts; and in general they are not accuſtomed to labour."

"*London, Feb.* 26. By a private letter from Virginia, we learn, that in draining a moraſs or ſwamp, in which were a great many trees, &c. they diſcovered two creatures of the human ſhape, who run away upon being obſerved. They were, however, ſoon overtaken; and their cries brought out a woman to their aſſiſtance: they all ſeemed much frightened; and none of them could ſpeak a ſingle word of any language. Inquiry being made all over the country, ſome people remembered, that, a good many years ago, a man in that neighbourhood, whoſe circumſtances were very low, had diſappeared with his wife, and it is ſuppoſed they had retired into this ſwamp, in the middle of which was a ſmall riſing ground, where they had lived, and had the two children: the man dying, the woman, whom they remembered always to have been a ſtupid dull creature, had now loſt the uſe of her ſpeech, having no perſon with whom ſhe could converſe. As the children had never heard any creature ſpeak, it is no wonder they were dumb. Every endeavour has been uſed to learn them to ſpeak, but they had made little progreſs when the laſt letters came away."

ENGLAND.

On the 10th of February the King gave the royal aſſent to the following bills.

An act for continuing, and granting to his Majeſty, certain duties upon malt, mum, cyder, and perry, for the ſervice of the year 1774.

An act for granting an aid to his Majeſty, by a land tax [3 *s. in the pound*] *to be raiſed in Great Britain, for the ſervice of the year* 1774.

An act for puniſhing mutiny and deſertion; and for the better payment of the army and their quarters.

Sir Edward Aſtley preſented to the Commons, Feb. 10. a bill to enable Thomas de Gray, Eſq; to incloſe ſeveral common lands and fields in the county of Norfolk. Mr Sawbridge immediately preſented a petition from William Tooke, Eſq; praying, that the bill to enable Mr

De

De Grey, &c. might not pafs into an act. The petition was read, fetting forth, That Mr De Grey, had not given proper notice to the inhabitants that occupied feveral of the lands he intended to inclofe, and that the faid inclofures would be highly prejudicial to the petitioner, and many others. The bill was, however, read a firft time, and ordered to be read a fecond time on Tuefday fe'ennight. —Thefe petitions, and the hafty manner in which the inclofing-bill was read, produced a moft virulent letter againft the Speaker, which was next day publifhed in the Public Advertifer.

The Speaker, on the 11th, complained to the Houfe of the faid letter, and wifhed the members who prefented the above petitions would declare what they knew of his conduct in refpect to thofe petitions.

Sir Edward Aftley arofe, and went through the whole of the charges contained in the faid letter, as far as refpected himfelf, and faid the charges of partiality were falfe.

Mr Sawbridge faid, that he was applied to, to prefent the petition, but a few days ago; that what he had faid concerning it was according to the inftructions he received; but he knew of no partiality on the fide of Sir Fletcher.

The whole Houfe feeming unanimous that the charge was groundlefs, Sir Fletcher arofe, and faid, he was thoroughly fatisfied the Houfe thought him innocent, and it was the height of his ambition to gain their eftecm; that if he had their good word, he cared not what any faction faid of him.

Mr Herbert faid, he thought it would be an impeachment of the underftanding of that Houfe to fuffer fuch a libel to pafs with impunity.

This produced a warm debate; and in the conclufion a motion was made, "That the letter in the Public Advertifer of this date, addreffed to Sir Fletcher Norton, Kt, Speaker of this Houfe, is a falfe, fcandalous, and malicious libel, contrary to all law or juftice, and in open violation of the privileges of this Houfe."

The queftion was put, Whether the above fhould pafs? and was agreed to *nem. con.*

Mr Herbert then moved, "That Mr Woodfall, printer of the Public Advertifer, be ordered to attend this Houfe on Monday next." And he was ordered accordingly.

On the 14th Mr Woodfall attended according to order; when the Public Advertifer of Friday the 11th being put into his hands, he was afked, What reafon he could urge in his vindication, for having publifhed the letter addreffed to Sir Fletcher Norton, Kt, Speaker of the Houfe of Commons?

Mr Woodfall made anfwer, That "Mr Horne gave him that letter; and that he publifhed it in the hurry of bufinefs.—He expreffed his hopes, that the Houfe would make allowances for the great hurry the nature of his bufinefs fubjected him to: and what he had further to plead in his behalf was, that during a courfe of near twenty years he had never fallen under the difpleafure of the Houfe; that he had attended according to their order; and that in his unfortunate fituation he muft beg to throw himfelf on the mercy of the Houfe."

On being afked Mr Horne's Chriftian name, and where he lived, he faid, he believed his Chriftian name was *John*, and that the place of his refidence was Brentford: and being queftioned, of what profeffion Mr Horne was, he anfwered, that he was deemed a clergyman.

Mr Woodfall was then ordered to withdraw from the bar, but not to go away.

The Houfe then went into a debate, in the courfe of which the three following motions were made, for committing Mr Woodfall; the firft, into the cuftody of the Serjeant at Arms; the fecond, to Newgate; and the third, to the Gatehoufe.

The debate lafted till eight o'clock, when the amendment relative to the Gatehoufe being withdrawn, the queftion ftood: "For commitment to the Serjeant at Arms; or, agreeable to Mr Fox's amendment, "to Newgate?" Upon a diviſion, the numbers were, for Mr Herbert's motion, of "commitment to the cuftody of the Serjeant at Arms," 152; for Mr Fox's amendment, of "commitment to Newgate," 68.

The diviſion being over, a motion was made, "That Mr Horne be ordered to attend the Houfe on Wednefday." It paſſed unanimouſly in the affirmative, and the Houfe broke up at nine o'clock. Mr Woodfall was then taken into the cuftody of the Serjeant at Arms.

At ten o'clock the fame evening, Mr Horne was ferved with a notice to attend the Houfe on the 16th; but he concluded

luded it, by pretending that the notice muſt have been intended for ſome other John Horne, as there were many of that name in the city of London. However, he wrote to the clerk who ſigned the order, that when he was properly ſummoned, he ſhould think it his duty to attend.

Report being made to the Houſe on the 16th of Mr Horne's evaſion, ordered, That the Rev. John Horne be taken into cuſtody of the ſerjeant at arms.

Next morning the deputy-ſerjeant at arms went to the houſe of Mr Tooke, in Serjeant's-inn, to inquire for Mr Horne. He was informed, that he was not within, but would be there about twelve. At which time the Serjeant came again, and found Mr Horne in company with Mr Tooke; who deſired him and the perſon with him to walk in; and on the ſerjeant's telling his buſineſs, Mr Horne ſaid, he was ready to attend him when he pleaſed; and accordingly he went to the Houſe of Commons with the ſerjeant in a carriage.

On their arrival at the Houſe, the ſerjeant at arms gave information of his having Mr Horne in cuſtody in one of the rooms belonging to that Houſe. The Speaker informed the Houſe, that when the priſoner was brought to the bar, no queſtions could be propoſed to him but from the chair. Mr Horne was then called in, and made a long defence, to exculpate himſelf from holding the Houſe in contempt. He ſaid, "he hoped his letter to the clerk of the Houſe, his anſwer to the meſſenger, and, above all, the readineſs he had ſhewn in being taken into cuſtody that day, would prove that he did not hold the Houſe in contempt."—He was ordered to withdraw; and Mr Oliver made a motion, "That as Mr Horne had exculpated himſelf from the charge alledged againſt him, of holding the Houſe in contempt, he be now diſcharged from the cuſtody of the ſerjeant at arms." A ſtrong debate enſued, whether the above motion ſhould be put, or not; which was carried againſt Mr Oliver. Several queſtions were propoſed to the Speaker to be aſked Mr Horne; and Mr Horne was called in, and the minutes of the proceedings on Friday, and the minutes of Monday were read to him. The Speaker then called upon him for his defence. Mr Horne informed him, that he ſhould be glad to demean himſelf by the rules and orders of the Houſe, and deſired his inſtructions accordingly. He particularly wiſhed to know, whether what had been read to him, was the charge or the evidence. The Speaker told him, the charge. Mr Horne then ſaid, he preſumed, the Houſe meant that he ſhould put in his plea. After a pauſe, he was anſwered in the affirmative: on which Mr Horne immediately ſaid, "he ſhould plead there, as in any other court of juſtice, Not guilty." He was then ordered to withdraw; and being again called in, was aſked, "If he choſe to have Mr Woodfall before him;" this he agreed to; and on the queſtion, Mr Woodfall ſaid, "that he received the letter from that Mr Horne; that it was that Mr Horne's writing; and that he delivered that Mr Horne a proof of the letter before it was publiſhed; that he went to Mr Horne as ſoon as he received a ſummons to attend, and that Mr Horne deſired him to give him up as the author." Upon this Mr Horne was aſked for his defence. He refuſed to make any, till he had heard the evidence againſt him; as he ſaid it was unuſual to puniſh a man upon a bare charge, without the charge being properly ſupported by evidence. Mr Horne then aſked Mr Woodfall, whether he was not at preſent under the ſentence of the Houſe? Mr Woodfall anſwered, that he preſumed he was. Mr Horne then objecting to Mr Woodfall's evidence, as he was not at large. They were ordered to withdraw; and a debate aroſe, whether Mr Woodfall's evidence was competent? After which an order was made for the attendance of three of Mr Woodfall's compoſitors, and the queſtion for adjournment was put, which was carried by a diviſion of 104 to 40.

Three of Mr Woodfall's compoſitors attended on the 18th, according to order, and being called to the bar, were examined; but their evidence not being ſufficient to prove Mr Horne the author of the letter reflecting on the Speaker, he was ordered to be diſcharged, on paying his fees.

Mr Woodfall applied by petition to be releaſed; but upon a queſtion being put, it paſſed in the negative. However, on the 2d of March, another petition being preſented for him, he was called to the bar, and diſmiſſed, upon paying his fees.

The origin of the diſpute between Mr De Grey and Mr Tooke, which gave birth to the aforementioned letter, hap-

pened above fifteen years ago; and, it is ſaid, from the following circumſtance. Mr Tooke, being out ſhooting in the neighbourhood of his own eſtate, which joins to Mr De Grey's, ſhot ſome birds upon that gentleman's manor; on which the latter diſpatched his gamekeeper to Mr Tooke with a meſſage to acquaint him, no one ſhould kill game upon his lands without leave. Irritated at this information, Mr Tooke repaired to a common, cloſe to his neighbour's houſe, where he deſtroyed all the hares, &c. he could meet with: which ſo mortified Mr De Grey, that an antipathy enſued, which, notwithſtanding the intervention of their acquaintance, has not been ſettled, even at this period.

Complaint was made to the Houſe, Feb. 16. of another letter in the Public Advertiſer and Morning Chronicle, ſigned *A South Briton*; which being read, was voted "a falſe, ſcandalous, and traiterous libel upon the conſtitution of this country, and tending to alienate the affections of his Majeſty's ſubjects from his Majeſty and the royal family;" and it was moved, that directions be given to his Majeſty's attorney-general to proſecute the printers." Which carried without a diviſion.

The following propoſals have been iſſued at London, for redeeming the annuities granted by Meſſ. Douglas Heron and Co. [xxxv. 668.]

"That the Dukes of Buccleugh and Queenſberry, Mr Douglas of Douglas, and others, who now act for the ſaid company, execute bonds of 50 l. each, to the amount of the original ſums advanced on the annuities, together with the ſix months purchaſe, or 50 l. on every 100 l. annuity, and *pro rata* for every greater or leſſer annuity, as the premium of redemption ſuperadded to the ſaid original ſum.

That bonds be made to the bearer, and carry an intereſt of 5 per cent.; and that the parliament be applied to for an act, under whoſe ſanction and authority they may be lawfully iſſued.

That beſides the ſecurity of the company at large, whoſe whole aſſets, together with the eſtates of 241 partners, are bound by the act of their managers, and amount to more than three millions Sterl. ſpecific eſtates in land in Scotland, of the clear rent of 32,000 l. per ann. and upwards, be ſubjected by mortgage to ſeven truſtees, in behalf of the annuitants, as a corroborative ſecurity for the intereſt and principal of the ſaid bonds, which will amount to 480,000 l. in principal, and 24,000 l. yearly in intereſt.

The intereſt will be paid half-yearly in London; and the principal as follows: one fourth at Midſummer 1778, one fourth at Midſummer 1779, one fourth at Midſummer 1780, and one fourth at Midſummer 1782.

That when the above-mentioned premiſſes ſhall have paſſed the regular forms, and the ſeveral holders of annuities ſhall be put in poſſeſſion of bonds to the amount of 750 l. for an annuity of 100 l. on one life, and of 800 l. for an annuity of 100 l. on two lives, and *pro rata* for any greater or leſſer annuity, and when they ſhall have received in money whatever is accrued and due of the annuities down to the day of the new bonds, that then the old bonds and judgements, and other ſecurities, by which they claim their ſaid annuities, ſhall be given up and releaſed, and ſatisfaction acknowledged, on the judgements."

And at a numerous meeting of the annuitants, February 9. at the King's-arms tavern, in Cornhill, the propoſals made by the chairman, Mr Glover, for redemption of their annuities, were unanimouſly accepted; and the unanimous thanks of all the annuitants preſent were given to Mr Glover, for the part he has ſo generouſly and diſintereſtedly undertaken, for bringing the affairs of the ſaid Meſſ. Douglas Heron and Co. to ſo fair a proſpect of a ſpeedy and happy concluſion.

SCOTLAND.

On Monday, Jan. 25. came on before the hight court of juſticiary, the trial of Margaret and Agnes Adams, for the murder of Janet Macintyre at Glaſgow [xxxv. 612.]. The counſel for Agnes moved the court to allow the trial of her and her ſiſter to go on ſeparately, as he intended to bring Margaret as an evidence in exculpation of her ſiſter; but this plea was repelled, and the trial was proceeded in. Next day the jury returned their verdict, all in one voice finding the pannels guily; whereupon they were ſentenced to be hanged in the Graſs-market on the 2d of March next, and their bodies to be given to Dr Monro for diſſection. On the 27th of February, Agnes received a reprieve, during his Majeſty's pleaſure; but Margaret was executed, and her body given for diſſection,

purſuant

purſuant to her ſentence. —— This unhappy woman was but twenty-one years of age, and her ſiſter is ſome years younger. — The account ſhe gives in her dying ſpeech of the fact is, That ſhe and her ſiſter having been accoſted on the ſtreet by ſome worthleſs fellows of their acquaintance, they retired to Macintyre's ſhop for ſhelter; that they and ſhe drank freely of ſpirits till they were all in liquor; that the fellows making a noiſe at the door, Macintyre would have them to go away, and words ariſing between her and Margaret, ſhe threw a glaſs of ſpirits upon them; and then laying hold of Margaret to thruſt her out, the latter ſtruck Macintyre on the face once or twice with her hand, then taking her by the napkin about the breaſt, gave her a ſudden thruſt away from her, and the place being confined, in her fall her hind head ſtruck againſt a ſtone wall, and ſhe never ſtirred; and that Margaret tried to raiſe her up, and was thus employed when the door burſt open, and ſhe was charged with murder; which ſo confounded her, that ſhe fell into a ſwoon. She declares, ſhe had no intention to kill Macintyre; for that the whole was a ſudden fray; and that her ſiſter had not the leaſt hand in it. — So their debaucheries may be looked upon as the cauſe of their misfortunes.

On the 27th of January came on before the ſame court, the trial of John Allan, late journeyman-wright at Pollockſhaws [xxxv. 556.], indicted for breaking into the houſe of Sir James Maxwell of Pollock, and ſtealing from thence ſeveral articles; and James Mackenzie, indicted for picking gentlemens pockets, while aſleep, in the houſe of Mrs Gardiner; but on their petitions, they were baniſhed to the plantations for life, and their ſervice adjudged for ſeven years.

The court proceeded the ſame day to take under conſideration the caſe of James Baillie, who was ſentenced to death for murder, about two years ago, but received his Majeſty's pardon, on condition of baniſhing himſelf to the plantations, forty days after his liberation from priſon, otherwiſe that the ſaid pardon ſhould be void. Baillie being found in Scotland after the elapſe of the forty days, was apprehended, and incarcerated in the tolbooth of Edinburgh. Some time after, his Majeſty's Advocate preſented a petition to the court, craving execution of the former ſentence, in terms of the pardon. This petition was ordered to be ſerved on Baillie; who gave in anſwers. In theſe anſwers, after ſtating the particulars that hindered him from complying with the conditions of the pardon, he concluded with a requiſition of being allowed a proof of the facts therein contained, by way of a jury-trial; which the court, after hearing counſel at great length [xxxv. 113.], granted. The ſhape in which the affair came before the court at preſent, was by another petition from his Majeſty's Advocate, in the ſame terms with the former, and ſimilar anſwers for Baillie; with this difference, that though he had been allowed a proof by the court, yet his witneſſes being without their juriſdiction, and refuſing to appear, he was unable to bring any; and therefore threw himſelf on the mercy of the court. He was thereupon again ordained to be hanged; but that he might have time to apply for another pardon, the execution was delayed till the 30th of March. Accordingly he hath ſince received another pardon, on the ſame conditions with the one he forfeited.

On the 7th of February came on before the ſame court, the trial of James Brown, late carter in Glaſgow, indicted for horſe-ſtealing. A petition was preſented for him, praying for baniſhment, on account of ſeveral alleviating circumſtances alledged in his favour, ſuch as his having an aged mother to ſupport, with a wife and five children. The deſire of the petition, however, was refuſed, and the libel found relevant to infer the pains of law. The jury returned their verdict next day, all in one voice finding the indictment proven; but unanimouſly recommending him to his Majeſty's mercy, in reſpect that in the courſe of the evidence none of the witneſſes had ſaid any thing to impeach his former character, as well as on account of his youth, and his having had an aged mother to ſupport, with a wife and five children. The court ſentenced him to be hanged in the Graſs-market on Wedneſday the 23d of March. He has ſince received a pardon, on condition of tranſporting himſelf.

By an advertiſement, dated Jan. 26. notice is given, that a forgery of the guinea-notes of the Bank of Scotland has appeared. The deſcription given of it by the ſecretary, by order of the court of directors, is as follows. "The engraving part is well executed; ſo that at

firſt ſight it is difficult to diſtinguiſh the forged from a real note. The forged note wants the water-mark in the paper, which is in that of all the real notes; but an imitation of it is attempted with an inſtrument, which is diſcovered by looking on the back of the note. The water-mark is eaſily ſeen in the real note, by holding it to the light." A reward of L. 100 Sterling is offered to any perſon who ſhall apprehend the forger, to be paid upon his conviction.

And by another advertiſement, dated the 27th, notice is given, that a forgery has appeared of the one-pound notes of the Britiſh-Linen company, dated *6th September* 1770. "The forged notes are done on common paper; the figure of the Woman and Ship is ill executed, and appears faint; and the ſtrokes of the letters in the copper-plate print are leſs full, or broad, than in the real notes. The waving water-mark round the edges of the real notes is imperfectly imitated, by draughts with an inſtrument, which are ſo deep in the forged notes that have already appeared, as to cut the paper, in ſome places, quite through. The words of the water-mark, in the real notes, are, BRITISH LINEN COMPANY; and theſe can be eaſily diſtinguiſhed from the forged notes, by holding them to the light, when the word LINEN, which runs acroſs the note, appears diſtinctly. The SEAL is alſo attempted to be imitated, but very imperfectly." The ſame reward is offered as by the Bank of Scotland.

Some people being under apprehenſions with regard to the ſecurity of the bridge at Edinburgh, upon obſerving a ſeparation of ſome of the ſtones in the parapet-walls, the feuers within the extended royalty of that city applied, Jan. 29. to Mr David Henderſon architect, (he and Mr John Laurie land-ſurveyor having taken an accurate inſpection of it in 1769, and made ſections of all its parts, and upon trying the ſame over again about a year ago found no alteration whatever), to take the trouble of viewing it again with attention, and to compare its preſent ſituation with the ſections formerly taken. Mr Henderſon was likewiſe impowered to call to his aſſiſtance any other perſon that he ſhould think proper.—Mr Henderſon having accordingly called to his aſſiſtance Mr John Laurie, Mr John Wilſon, maſon, and Mr Duncan Campbell maſon in Stirling, gave in a report, Feb. 3. importing, That they had that day examined all the piers of the great arches, by trying them with the plumb, and compared their preſent ſtate with the obſervations made in 1769, and repeated about a year ago, and that they found them to ſtand exactly in the ſame ſituation, having neither yielded nor ſunk in the leaſt degree ſince their firſt inſpection; that the ſmall ſeparation that now appears in the parapets was occaſioned by the cylindrical arches that were introduced after the fall of the ſouth abutment in Auguſt 1769 puſhing upon the flanks or haunches of the great arches, as the natural compreſſibility of matter, acted upon by matter, muſt neceſſarily have occaſioned thoſe great arches to ſubſide in a proportional degree to the openings which at preſent appear in the parapets, and which were an unavoidable conſequence of that ſubſiding of the arches; that as theſe openings cannot be traced lower down than a few feet below the top of the niches, where they die away imperceptibly; inſtead of ſhowing any degree of weakneſs, they ſhow the firmneſs and ſtability of the great arches, and the piers upon which they reſt; and that as no alteration has happened in the piers ſince the firſt trial in 1769, they could with great confidence pronounce, that there was not the leaſt cauſe for any apprehenſion of danger, or ſuſpicion of the fabric.

On the 12th of February, between eight and nine, a large piece of the rock on which the houſe of Hawthornden ſtands, fell down towards the wood, and carried along with it the lower half of the ſtair which led to the caves; by which accident thoſe curioſities will be no longer acceſſible. As it had no immediate connection with the foundation of the houſe, happily no damage was done.

"*Perth, Feb.* 15. We had a tremendous ſcene here yeſterday. The river Almond broke very early in the morning, and brought down a great quantity of ice; which was ſtopped by that from the river Tay, above the North Inch, and raiſed ſo high a dike there, as to throw the water and the ice on the Muirtown low grounds and the North Inch, till they were quite covered. The main ſtream coming down the Inch, was thrown weſtward by the ice; and being ſtopped by Mr Robertſon of Tullibelton's garden-wall, and the ſnuff-mill, it forced its way through the Blackfriars yard and

and dike, and ſo into the lead at the weſt end of the tannery; thence it divided, part running down the lead to the river, and the reſt weſtward, even as far as the New-row; ſo that the town was quite ſurrounded by twelve o'clock. The ice in the bed of the river, continued riſing all this time, but without breaking, till nine o'clock at night; when the river roſe higher than ever, and broke with a loud noiſe, like cannon, which alarmed the whole town. The water was ſo high, as to throw a great many tuns of ice over the parapet at the north ſhore, and ſome through the arch there to the high-ſtreet, where we were obliged to take to our heels, leſt we had been cruſhed in pieces. At the coal-ſhore, the water, in a minute's time, roſe at leaſt two feet: the boats came as far as the port. All the ſhips were thrown on ſhore; and by getting them off this morning, they have ſuſtained much damage; one, in particular, ſunk directly, by ſome fractures in her bottom. The Tay is now running within its uſual banks, but has left ſo much ice on the Inches, as will make the roads there impaſſable for ſome time. The bridge remained immoveable, though the river roſe a conſiderable way above the ſpring of the arches, and brought down ſuch large pieces of ice with it. The flood has done much damage to the inhabitants of the low houſes on the north ſide of the town, who were brought out of them in boats. It came over the wall at the north end of the North Inch, and has almoſt deſtroyed the whole avenue of trees on the ſide of the road."

A moſt melancholy accident happened, Feb. 23. in the coal-level at Blackburn, near Dunfermline. Three men went to their work in the morning, having good air in the mine the day before, and did not ſuſpect any thing elſe at that time. Two of the men that went fartheſt into the mine were ſeized with the bad air, and immediately dropped down: the third, not being ſo far in, turned, and came out with ſome difficulty. He went immediately and told John Robertſon the coal-grive, and another miner; who both ran with all ſpeed, and got down into the mine, thinking to ſave the other two men: but unfortunately they went too far in, and ſhared the ſame unhappy fate with the others. Their bodies have been ſince got out.

By an advertiſement, dated Jan. 20. 1774, the truſtees for fiſheries, manufactures, and improvements in Scotland, offer premiums for promoting the cod, ling, and tuſk fiſhery, off the coaſt of Scotland, viz. to the perſon or company, whoſe veſſel (of thirty tuns burden or upwards, fitted out or freighted for the fiſhery at their own expence and riſk) ſhall take and cure the greateſt quantity and value of cod, ling, and tuſk, in proportion to the number of men employed, in the year 1774, 60l.; for the ſecond greateſt, 50l.; for the third greateſt, 40 l.; and for the fourth greateſt, 30l.; in all, 180l. They direct a trial to be made of Cobb's method of fitting the lines. [xxxv. 557.]

The managers of the Charity-workhouſe of Edinburgh gave in to the town-council of that city, Jan. 12. a repreſentation, ſetting forth, That from the increaſed number of poor maintained in the houſe, and of thoſe ſupported without doors, as well as from the advanced prices of every neceſſary of life, the funds of the houſe had fallen ſo much ſhort of defraying the annual expence of the eſtabliſhment, that it had become neceſſary to borrow no leſs than L. 1200 Sterling from the banks, in order to prevent the total ruin of the houſe; for which money, ſome of the managers, and other citizens, had been generous enough to give their perſonal bonds: That the whole of this borrowed money had been expended, and a further debt of 250 l. Sterling incurred; and after all, there was no ſtock of proviſions on hand; and therefore praying the council to take ſuch method as ſhould be thought moſt proper for diſcharging this great debt, and giving *preſent* relief to the houſe. This repreſentation being referred by the council to a committee, they reported, That they had examined the facts therein ſet forth; and having adviſed, agreeably to the directions of the legiſlature in matters of police, with the Judges of the Court of Seſſion, and with the Miniſters of the city, they were of opinion, That a ſum of at leaſt 2000 l. Sterling is neceſſary, in order to diſcharge the debt already contracted, and to purchaſe the proviſions now wanting; without which the poor in the houſe cannot poſſibly ſubſiſt; and were alſo of opinion, That, amidſt the various propoſals which had been made for raiſing this money, and for the *preſent* ſupport of the houſe, it ſeemed moſt eligible to do it by a public voluntary contribution. Which being conſidered by the council, they unanimouſly

mouſly paſſed an act, Feb. 9. 1774, appointing a collection to be made from houſe to houſe; and authoriſed the managers to apply to the ſeveral diſtinguiſhed bodies of men, ſocieties, and incorporations, for their aſſiſtance; and, to ſhow the urgent neceſſity of the propoſed collection, appointed their act to be printed, and diſtributed through the city, with explanatory notes, ſhewing more particularly the ſtate of the funds, the expence of the houſe, and the number of perſons ſupported thereby; and recommended to the miniſters to make public intimation from the ſeveral pulpits of the city, on the Lord's day following, of the intended collection, with ſuitable exhortations; and to acquaint their reſpective hearers, that in caſe the collection ſhould anſwer expectation, the moſt effectual meaſures ſhould be taken for relieving the city from the nuiſance of begging poor. Accordingly, on the 17th of February, the ſtent-maſters, accompanied by ſome of the elders of the reſpective pariſhes, began to collect through the city.

In the explanatory notes the following facts are ſtated.

The charity-work-houſe of Edinburgh was erected in 1743, in conſequence of a contract between the town-council and kirk-ſeſſions. The funds made over for ſupport of the houſe were, — the collections at church-doors and at Epiſcopal meeting-houſes, — marriages not ſolemnized in church, — one third of the dues of the dead or paſſing bell, — burial-warrants, — green turfs, — poor's box at Gray friars gate, — mortified money, — mortified houſes and ſhops, — 2 per cent. of poor's rates, — fornication-fines, — legacies, — 200 l. Sterling annually paid by the city of Edinburgh.

Theſe funds have from the beginning proved inſufficient, ſo as to render extraordinary collections neceſſary from time to time. — The deficiency now is ſo great as to become ruinous to the houſe, if ſome effectual remedy be not provided:

1. Becauſe of the fall of the collections at the church-doors. In 1762 they amounted to L. 1399: 19: 10; but in 1773 were only L. 1062, 7 d. 3 f.: A fall of L. 337: 19: 2: 1 per ann.

2. Becauſe of the great increaſe of the poor. The number of perſons in the houſe, out-penſioners, children at nurſe, beggars and criminals in the houſe of correction, were, July 30. 1751, only 718; but, Jan. 25. 1774, they were 946: An increaſe of no leſs than 228; and which would have been far greater if the managers, for want of funds, had not been under the painful neceſſity of refuſing many petitions preferred to them.

3. Becauſe of the great riſe in the price of proviſions: — of which there is authentic evidence from the following table of the fiars of Mid-Lothian for fourteen years.

Years.	*Wheat.* £.	s.	d.	*Barley.* £.	s.	d.	*Meal.* £.	s.	d.
1759.	8	0	0	6	5	0	5	4	0
1760.	8	2	0	6	3	0	5	14	0
1761.	8	8	0	7	8	0	6	6	0
1762.	11	4	0	8	11	0	10	10	0
1763.	10	0	0	8	2	0	7	0	0
1764.	11	8	0	8	5	0	8	0	0
1765.	12	0	0	9	18	0	9	12	0
Scots,	69	2	0	54	12	0	52	6	0
1766.	11	14	0	10	16	0	9	6	0
1767.	12	12	0	8	8	0	8	14	0
1768.	12	0	0	7	1	0	7	4	0
1769.	10	16	0	8	2	0	8	8	0
1770.	11	2	0	8	5	0	8	8	0
1771.	12	12	0	9	15	0	10	0	0
1772.	13	10	0	10	10	0	10	0	0
Scots	84	6	0	62	17	0	62	0	0
Med.	12	0	$10\frac{2}{7}$	8	19	$6\frac{1}{2}$	8	17	$1\frac{5}{7}$
Price.	9	17	$5\frac{1}{7}$	7	16	0	7	9	$5\frac{1}{7}$
Diff.	2	3	$5\frac{1}{7}$	1	3	$6\frac{1}{2}$	1	7	$8\frac{4}{7}$

The laſt line is the medium price from 1759 to 1765; the line immediately above is the medium price from 1766 to 1772.

From the above table it appears, that the medium-price during the laſt ſeven years, converted into Sterling money, exceeds the medium-price during the ſeven years preceding, on wheat 3 s. 7 d. 2 f. barley 1 s. 11 d. 2 f. and meal 2 s. 3 d. two thirds of a penny, per boll.

The quantity of proviſions uſed in the houſe from Jan. 1. 1773 to Jan. 1. 1774, was, of meal 1203 bolls 7 pecks; flour 347 bolls 7 pecks; barley for the pot 11,252 pounds Dutch weight; groats 24 bolls 10 pecks 3 lippies; ale, 10,050 gallons, made from 275 bolls 1 firlot malt: ſo that there has been conſumed in the houſe, 1203 bolls meal; 232 bolls wheat, allowing 24 pecks of flour to be produced from 1 boll; 51 bolls bear made into barley, allowing each boll to produce 220 pounds of barley; 250 bolls barley made into malt, allowing 20 bolls barley to produce 22 bolls malt; and the

the groats consumed in the house will be nearly of equal value to 48 bolls of meal.

The quantity consumed in the house in one year being as now stated, it follows, according to the medium-price for the last seven years in the table, above the medium for seven years preceding, that the difference is,

Upon 1251 bolls meal and groats	L.	144	4	3
Upon 232 bolls wheat,		42	1	0
Upon 301 bolls bear,		29	9	5½
Difference for one year,	L.	215	14	8½
Which in 7 years amounts to	L.	1510	2	11½

Two tables are annexed. The first shews the money received, and paid, annually, from July 1. 1764, to July 1. 1773. The second shews from what funds the sums have arisen. We insert the last. The fourth column consists of 12ths of a penny Sterling.

Collection at kirk-doors,	L. 8357	3	10	2
— Episcopal meeting-houses, -	236	1	0	3
— at the evening-lecture,	32	0	4	0
From the kirk-treasurer,	2546	3	5	11
Two per cent poor's rates,	3912	17	8	6
From the Good Town,	2200	0	0	0
From Paul's work, -	1318	1	4	0
From work done in the house, - -	2918	5	7	3
Dung, barm, &c. sold,	1068	16	0	6
Board of people in Bedlam,	1374	18	7	9
— in the House, -	188	12	6	0
— in Correction-house,	339	15	10	6
From rents of houses, -	337	6	8	0
— Ladies assembly, -	1020	9	4	6
— legacies, and interest on them, -	969	0	3	0
From donations, -	681	8	2	9
— fines, exchequer-juries, &c. - -	191	9	4	0
— people received into the House, -	65	3	1	3
— crops of the Hospital park sold, -	51	8	3	0
— produce of three plays,	112	12	3	0
— Mr Stirling's composition, - -	136	16	3	0
— from the insurance-office, - -	69	6	8	0
Borrowed from the bank,	600	0	0	0
Amount of general collections, - -	3453	14	7	0
Advanced by the treasurer,	81	18	2	0
Tot. received	L 32263	9	6	4

MARRIAGES.

"*Petersburg, Jan.* 18. The reigning Duke of Courland is, by her Imperial Majesty's consent, to be married to the Princess Youssoupow, in about three weeks; and the ceremony of betrothing was performed yesterday." *Lond. gaz.*

"*Dresden, Feb.* 13. Yesterday morning the marriage of Prince Charles of Deux Ponts with the Princess Amelia, was celebrated in the Elector's private chapel." *Lond. gaz.*

BIRTHS.

"*Hague, Feb.* 18. On Tuesday the 15th instant, about eleven o'clock at night, the Princes of Orange was happily delivered of a prince." *Lond. gaz.*

"*Queen's Palace, Feb.* 26. On Thursday last [Feb. 24], about half an hour after six in the evening, the Queen was happily delivered of a prince. The Archbishop of Canterbury, several Lords of the Privy Council, and the Ladies of her Majesty's bedchamber, were present." *Lond. gaz.*

28. At Edinburgh, the lady of George Buchan of Kello, Esq; Advocate, of a son. [xxxv. 222.]

DEATHS.

Nov. 14. 1773. At St John's, Antigua, aged 27. Dr William Reid, physician. This gentlemen was born in the town of Banff, and studied surgery and physic under Dr Saunders, physician in that place; after which, at the early age of nineteen, he went to Antigua, where he remained till his death.

Jan. 21. At Constantinople, aged 59, the Grand Signior, Mustapha III.

Feb. 2. At Chileworth, Hants, Mr Isaac de Vie, wine-merchant, aged 102.

3. At Edinburgh, Mr John Traill, morning-lecturer in the New North kirk.

6. At London, Mr James Bettenham, printer, aged 91.

7. At Edinburgh, Mr Robert Smith, surgeon in that city.

8. At Edinburgh, Mr Edward Caithness, merchant in that city.

8. At Newburgh, Yorkshire, Thomas Earl Fauconberg.

9. At his house in Stirlingshire, Michael Ramsay of Mungall, Esq;

13. At Cupar in Fife, Dr George Bethune, physician in that place.

16. At Edinburgh, Mr William Hepburn, surgeon in that city.

At Dungiven, Ireland, Mr William Beaty, aged 130.

17. At Kirkbrachead, near Edinburgh, the Hon. Mrs Anne Gray, wife of William Gray of Baledgarno, Esq;

18. At Edinburgh, the Hon. Dame Amelia

lia Lindſay, relict of Sir Alexander Lindſay of Evelick, Bt.

19. At Port-Glaſgow, Mr John Anderſon, miniſter of that place.

23. At Fairburn, Roderick Mackenzie, Eſq; of Fairburn.

At the Hague, the Sieur de la Haye, aged 120. He married at the age of 70, and had five children.

PREFERMENTS.

From the London Gazette.

The King has been pleated,

Feb. 5. to appoint Thomas Shirley, Eſq; to be Captain-General and Governor in Chief of the iſland of Dominica in America, in the room of Sir William Young, who has reſigned.

to appoint Montford Browne, Eſq; to be Captain-General and Governor in Chief of the Bahama iſlands in America, in the room of Thomas Shirley, Eſq;

to appoint Peter Livius, Eſq; to be Chief Juſtice of the province of New Hampſhire in America.

Feb. 26. to confer the honour of Knighthood on Robert Herries, Eſq;

War-office, Feb. 23.

4th reg. of dragoons: Thomas Bonham, Gent. is appointed to be Cornet, vice Robert Mackleith; by purchaſe.

10th reg. of dragoons: Cornet William Orby Hunter to be Lieutenant, vice George Harrington; by purchaſe.

Ditto: William Sotheby, Gent. to be Cornet, vice William Orby Hunter; by purchaſe.

6th reg. of foot: Fryer Hadfield, Gent. to be Enſign, vice Thomas Herring, preferred; by purchaſe.

Ditto: Francis Hopkins Adams, Gent. to be Enſign, vice Edward Thelwall; by purchaſe.

25th reg. of foot: William Adair, Gent. to be Enſign, vice George Whitmore; by purchaſe.

33d reg. of foot: Lieut. William Danſey to be Captain, vice Thomas Duke; by purchaſe.

Ditto: Enſ. Richard Cotton to be Lieutenant, vice William Danſey; by purchaſe.

Ditto: Thomas Gorges, Gent. to be Enſign, vice Richard Cotton; by purchaſe.

41ſt reg. of foot, (Invalids): Capt. Joſhua Crump, (from halfpay), to be Captain, vice Henry Lee, deceaſed.

50th reg. of foot: Gen. Michael O'Brien Dilkes to be Colonel, vice Sir William Boothby, removed.

60th reg. of foot, (1ſt battalion): Enſ. Samuel Rutherford to be Lieutenant, vice John Nordberg, promoted.

Ditto, (2d battalion): Thomas Flucker, Gent. to be Enſign, vice Hans Carden; by purchaſe.

Ditto: Lieut. Donald M'Donald to be Adjutant, vice David Alexander Grant; by purchaſe.

67th reg. of foot: Lieut. Charles Taylor, to be Captain, vice Frecheville Dykes; by purchaſe.

Ditto: Enſ. Robert Gore, to be Lieutenant, vice Charles Taylor; by purchaſe

Ditto: James Adams Thomas Fitter, Gent. to be Enſign, vice Robert Gore; by purchaſe

Lieut. William Cleland, of Capt. Forbes's independent company of invalids at Sheerneſs, to be Lieutenant in Lt-Col. John Lind's Independent Company of Invalids at Hull, vice John Snell, deceaſed.

Lieut. John Bell, from halfpay, to be Lieutenant in Capt. Jonathan Forbes's independent company of invalids at Sheerneſs, vice William Cleland.

Daniel Chamier, Eſq; to be Commiſſary of Stores and Proviſions in North America, vice Robert Leake, deceaſed.

Capt. James Mark Prevoſt, of the Royal American regiment of foot, to be Major in America only.

Prices of grain at Haddington, March 4. 1774.

	Beſt.	*Second.*	*Third.*
Wheat,	24 s. 3 d.	22 s. 0 d.	21 s. 6 d.
Bear,	20 s. 6 d.	19 s. 0 d.	18 s. 2 d.
Oats,	14 s. 0 d.	13 s. 4 d.	11 s. 6 d.
Peaſe,	14 s. 0 d.	12 s. 0 d.	11 s. 9 d.

Edinburgh, March 22. 1774. Oat-meal, 1s. Bear-meal, 8d. 2f. Peaſe-meal, 8 d. 2f.

The Edinburgh bill of burials for February 1774.

Within the city	Males 42, Fem. 44	86	130. Decr. 30.
In the Weſt-kirk-yard	Males 20, Fem. 24	44	

Age.			N°	Diſeases.	N°
Under		2	54	Aged	6
Between	2 &	5	12	Aſthma	3
	5 &	10	5	Bowelhive	6
	10 &	20	6	Chincough	9
	20 &	30	5	Conſumption	46
	30 &	40	7	Convulſion-fits	1
	40 &	50	8	Cramp in ſtomach	1
	50 &	60	9	Fever	22
	60 &	70	12	Gravel	2
	70 &	80	8	Meaſles	4
	80 &	90	3	Small pox	18
	90 &	100	1	Stillborn	4
				Swelling	1
				Teething	6
				Water in the head	1